

Attribution Analysis: A Critique of the Policy Paradigm
with a Case Study of the Northern Territory Emergency Response

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Declaration of Originality

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Abstract

There have been many critiques of rational public policy processes but none have been able to counter the power of the dominant hegemony that employs them. This thesis shifts the ground of the discussion. Not in an attempt to win the contest in a fight for the dominance of ideas, but to question that very 'contest' itself. By challenging the problem solving model's claim to rationality, the validity of the problem-focus in public policy is undermined. A critical analysis of attribution theory, from the discipline of social psychology, proves fruitful in this endeavour. It reveals the problem solving model as a product of patriarchy, and that patriarchy is actually an unconscious, irrational process of the masculinist frame. Transformative community development offers some simple principles to counteract and resolve the negative exacerbation cycles of patriarchy. Thus, several disciplines are employed to reconceptualise the policy paradigm and construct an analytical model: *attribution analysis*. This framework is then employed to analyse the discourse of the powerful.

The efficacy of *attribution analysis* is demonstrated with a case study in Australian Indigenous policy. The Northern Territory Emergency Response re-established openly paternalistic policy in Indigenous communities in 2007. An examination of the decision – and the (lack of) process used to reach it – shows that it failed to meet even its own normative policy models. This could be explained as a failure to employ such models effectively. However, the application of *attribution analysis* provides an alternative explanation. It demonstrates the masculinist frame creates exacerbation cycles that maintain and reinforce the 'problem'. It is time for a shift in the dominant paradigm.

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Abbreviations

ABCD	–	asset based community development
ACC	–	Australian Crime Commission
ACOSS	–	Australian Council of Social Service
AT	–	attribution theory
BMA	–	business management areas
CDEP	–	community development employment projects
DHCS	–	Department of Health and Community Services
FAE	–	fundamental attribution error
FIM	–	family income management
GNP	–	gross national product
HREOC	–	Human Rights and Equal Opportunity Commission
IMR	–	income maintenance regime
MoU	–	memorandum of understanding
NT	–	Northern Territory
NTER	–	Northern Territory Emergency Response
SRAs	–	shared responsibility agreements
UAE	–	ultimate attribution error

Introduction

You can't solve a problem using the same consciousness that created it
Albert Einstein

Public policy operates in a difficult context of adversarial politics, multiple constraints and competing vested interests. In Australia, this is compounded by a federal system that adds another layer of complexity. Public policy is a field of human endeavour and as such, is subject to human fallibility. The challenge of the personal impinging on the conduct of fair public policy is an ongoing one. The notion that human behaviour can reduce the legitimacy of public administration is not new. Scholars, such as Lasswell and Simon, have pursued a practical solution by turning to psychological understandings of humanity (Parsons 1995). Harold Lasswell (1956) turned to Freud's psychoanalytical tradition to address the issue of human fallibility in public decision making. He was concerned with the ability of 'personal feelings, emotions and experiences' and the private interests of elites to influence public decisions (Parsons 1995, 353). This led to the development of a framework to counteract these tendencies (Lasswell 1956). This model has been influential in the development of current decision making models. Simon (1957) employed psychology in a similar quest but he started with the assumption that human beings are fundamentally rational (in Parsons 1995). This contrasted with Lasswell's psychoanalytic perspective, which generally deals with mental abnormality. Simon used the metaphor of the human brain as a computer, developing his own sequential model of rational decision making (Parsons 1995; Robbins, Bergman, Stagg and Coulter 2000). But Lindblom (1959) challenged the 'rational' nature of the decision making models that have emerged from this tradition (in Parsons 1995). Lindblom argued that policy analysis should include the 'deeper forces' that 'structure and distort the policy process' (Parsons 1995, 22). This suggestion has been taken up by contemporary scholars such as Deborah Stone (2002), whose work is pivotal to this research.

The philosopher Max Horkheimer (2004) questioned the supposedly rational nature of modern western society more generally.¹ A director of the Frankfurt School, Horkheimer formulated critical theory, advocating that theory should do more than describe reality: it should strive to emancipate human beings (Audi 1999). Writing in the post World War II period, he lamented that:

The hopes of mankind seem to be farther from fulfilment today than ... when they were first formulated by humanists. It seems that even as technical knowledge expands the horizon of man's thought and activity, his autonomy as an individual, his ability to resist the growing apparatus of mass manipulation, his power of imagination, his *independent judgement* appear to be reduced (my emphasis) (Horkheimer 2004, v).

This pessimism is understandable in the wake of atrocities committed during the Second World War. Horkheimer argued that 'formal and instrumental rationality and the imperatives of self-preservation' shape 'modern institutions, including democracy' (Audi 1999, 393). In the *Dialect of Enlightenment*, Adorno and Horkheimer argued 'that reason itself has become irrational' due to its 'renunciation' and 'repression' of the natural 'world and the inner nature of the self' (Encyclopedia of Postmodernism 2001, np). The resulting 'instrumental reason' (Horkheimer 1996, vii; 2004) has become 'a tool', the means to realise goals, rather than the way goals should be identified (Audi 1999). He argues most people would consider reason as:

... the faculty of classification, inference, and deduction, no matter what the specific content – the abstract function of the thinking mechanism ... It is essentially concerned with means and ends, with the adequacy of procedures ... It attaches little importance to the question of whether the purposes as such are reasonable (Horkheimer 2004, 3).

This focus on process, rather than reflecting on purpose, can lead to de-humanising decisions. Instrumental reason becomes an instrument of oppression. But Horkheimer was also optimistic about the possibility of change. He thought that 'a revised notion of Hegelian dialectics' might offer some insight to address this dilemma but did not take up the challenge (Audi 1999, 393). From this perspective, process-oriented models designed to exclude or counteract the influence of human nature on public decision making (like Lasswell's or Simon's) are another example of instrumental

¹ In collaboration with Adorno.

reason. This fundamental question of the *negative* influence of the personal (human nature) on public decisions lies at the heart of this thesis.

This research began with a focus on Indigenous community development, from a public policy perspective. But it soon became clear that all community development operates within a wider context, and that context is all-important. Public policy plays a major role in the development of Australian Indigenous communities.² This creates tension, because the basic premise of transformative community development approaches (which align with aspirations for self-determination) is diametrically opposed to that of Australian public policy.³ This affects the conduct of community development but also raises serious questions about the conduct of public policy more broadly. So, instead of looking at community development through the lens of public policy, the project was turned on its head. It became about considering public policy using community development principles. This brought the focus onto policy decision making, the models developed to counteract the personal in the public realm and how far these actually mitigated human behaviour. I contend that adopting the new paradigm thinking advocated by transformative community development could enhance *all* public policy.

There is a second, and important, rationale for this focus on public policy and its processes. Australia's Indigenous peoples are among the 'most researched [social] group in the world' (Aboriginal Research Institute 1993, and Smith 1999, in Fredericks 2008, 24) but despite this, they remain the most disadvantaged social group in the nation (Australian Institute of Health and Welfare 2008). They have derived little benefit from all this attention. To explain the marginalisation of the powerless, critical theory advocates that we must turn our attention upon the powerful. This is because the attitudes of elites shape social outcomes, not the values and behaviour of the poor

² This is especially so for discrete communities in the Northern Territory, the case study setting. As Chapter 6 explains, many are almost completely dependent on government funding due to high unemployment and welfare dependence.

³ As will be demonstrated in the first two Chapters, transformational community development demands a focus on assets (Aigner, Raymond and Smidt 2002; Kretzman and McKnight 1993; Mathie and Cunningham 2002) while public policy remains focused on problems (Bridgman and Davis 2004).

(Audi 1999; Limbert and Bullock 2005; Tesoriero 2010). Aileen Morton-Robinson and Maggie Walter promote critical theory for Indigenous researchers engaged in 'Indigenous Colonised First World Peoples Studies' (Walter, 2012, np). They argue Indigenous critical theory should be created and shaped by Indigenous women's and men's experiences – their lived realities – and that this is fundamental to the ongoing development of Indigenous knowledges. While this thesis does consider Indigenous policy in the case study, I see no reason to limit the application of Indigenous knowledges to research relevant to ourselves: western knowledge has been imposed consistently on Indigenous peoples. It is time to return the compliment. Thus in this thesis, the attitudes of decision makers who shape policy outcomes are the focus of analysis, rather than the values and behaviour of the 'target' group. Whether these attitudes are conscious or not, they hold the power to explain the disadvantage of marginalised people and communities.

This area of inquiry – the attitudes of decision makers within the policy sphere, in light of community development principles – obviously requires a multidisciplinary approach. Drawn from the field of community development are the *Asset Based* models of Kretzman and McKnight (1993). From public policy Bridgman and Davis's *policy cycle* (2004) is used as an example of normative decision making models in the tradition of Lasswell and Simon. Stone's *Policy Paradox* (2002) – which, like Horkheimer, questions rationality – is employed to critique rational models such as the policy cycle. Finally, from the discipline of social psychology *attribution theory* is used to explain the ongoing influence of unconscious bias on decision making (Försterling 2001; Harvey and Weary 1984; Hewstone and Fincham 1999; Kelley and Michela 1980; Kremer, Sheehy, Reilly, Trew and Muldoon 2003). A critique of attribution theory extends this understanding by revealing inherent bias in the research undertaken during the discipline's foundational years in the 1960s-70s (Langdridge and Taylor 2007; Oliver 1991). By re-conceiving the differences in attribution styles found during that period, a clearer explanation emerges. The result is a new theory: one that encompasses the human dimensions of public decision making.

The Genesis of this Research

One of the strong themes running through this thesis is an argument against the assumption of objectivity. Because personal experience has influenced the form and content of this research, this subjectivity warrants acknowledgement. My personal research style might best be described as 'gleaning'. I naturally tend to collect pieces of 'interesting' information, fitting them into the larger picture along the way. Of course, this research style is enriched by life experience. The reason for delving into social psychology (and attribution theory in particular), began over two decades ago with an event from my early years of motherhood. I was walking across a paddock with my son, Adam, who was three years old. He inadvertently kicked a stone, painfully stubbing his toe. There was a moment's pause, while he turned and glared at the offending stone with his hands on his hips, and then he demanded, 'Who put that there?' I couldn't help but smile. At the same moment, there was a feeling of stunned recognition. My first thought was, 'He is a man'. Adam had blamed someone else and I automatically associated that explanation with masculinity. My second thought was that this had to be innate, not learned. I was his primary care-giver; he had little opportunity to learn this attitude from his father (or other male role models). In contrast, I knew that in the same situation I would have blamed myself: for clumsiness, inattention or even stupidity. I have no memory of being any other way, even in earliest childhood.

It was many years later that I 'gleaned' terminology to describe the insight gained that day. A local newspaper article on university students reported that research indicated that male students tended to internalise exam success (attributing it to personal ability or effort) and externalise failure (blaming the lecturer, the tutor or the difficulty of the course). Female students tended to externalise exam success ('I couldn't have done it without the lecturer's support' etc) and internalise failure (insufficient effort or ability). The terms used to describe these tendencies were male and

female attributional style.⁴ This resonated with my personal experience in university and allowed me to explain the understanding gained years before.

Once I had the language to articulate the phenomenon, I quickly began to recognise it in everyday behaviour and use it as an explanatory device. I began to point out evidence of male attributional style to my sons (now teenage boys), when it led them to externalise responsibility. And my advice to friends would employ the same analytical device, when discussing the seemingly incomprehensible behaviour of their partners. This awareness also started to alter my perception of the academic material I encountered in my research for this dissertation. I resisted the temptation to explore attributional styles for some time, telling myself that it fell outside the parameters of my thesis. Eventually, it became apparent that it would be virtually impossible to conduct an analysis that would *not* be influenced by this awareness and it was preferable to make that influence explicit. My research is not an exercise in objectivity, it combines experience, intuition and self-reflection with all the tools of critical analysis and intellect I could bring to bear.

Thesis

This study questions the validity of the western frame in which public policy operates, and the assumptions which underpin its processes. Stone's (2002) evaluation of public policy *describes* dysfunction in the public sphere but does not *explain* it. Stone gives an insightful critique of policy processes but offers no alternative. To extend this insight, my thesis explains the source of policy dysfunction and offers an alternative perspective. It puts forward three propositions:

- the dominant paradigm is framed through masculine subjectivity;
- what is presented as 'rational' simply functions to mask this fact, and;
- an alternative perspective is required to identify the biases embedded in the structures, systems and values of public policy, government and the broader society.

⁴ See Basdow (2004) for examples of similar research.

By identifying the source of policy dysfunction, this theory points the way towards a new conceptualisation. What emerges from this dialect approach – or ‘dialogue’ with a range of scholars – is a model that employs narrative analysis to identify attributional bias in political and policy decisions. But more than that, it identifies the source of this bias as masculine. In so doing, it reveals the mechanism through which patriarchy is produced and maintained.

A Note on Style

The style of this thesis largely follows the conventions of critical analysis, although it does diverge on two points. First, it occasionally moves to the use of first person prose. This device is used deliberately to confide in the reader, to acknowledge the influence of personal experience upon the project. The theory developed in Part I has emerged from – and been shaped by – my personal experience, as endorsed by eminent Indigenous academics (Walter, 2012). This device also allows space to reflect on the experience and conduct of the research, and the distance between the ideal of objectivity and lived reality. These themes are central to the ideas and arguments put forward in this work, so the personal is acknowledged, and marked up by the use of first person. Second, because the theory draws from several disciplines, the literature is embedded in the relevant chapters throughout the thesis, instead of a separate chapter devoted to a literature review. In Part I – The Theory – the chapters include background on the development of the theory or ideas critically examined. Part II – The Case Study – opens with a chapter devoted to contextualising Indigenous policy in the Northern Territory and the broader trends Australia wide, which covers the literature.

The Theory: Attribution Analysis

The multidisciplinary approach used to construct a theoretical framework calls for a methodology that can encompass complexity. One that moves beyond the limitations of narrow, reductionist methodologies. I have turned to the dialectic, like other critical theoreticians such as Adorno and Horkheimer (1979) in the *Dialectic of Enlightenment* and Marx (1976) in *Capital*. The dialectic method is often described in terms of the *thesis*, *antithesis* and the *synthesis* of the two. However,

Christopher Wareham (2013) describes this mechanistic interpretation of the dialectic as narrow and rationalist. The Hegelian approach uses the terms 'positive' and 'negative' to describe an organic process which begins with intuition and, through consciousness and self-consciousness, achieves reason to reveal the absolute truth. Hegel (2009, 11) uses a metaphor from nature to explain the process:

The bud disappears when the blossom breaks through, and ... in the same way ... the fruit appears as its true nature in place of the blossom. These stages are not merely differentiated; they supplant one another ... the ceaseless activity of their own inherent nature makes them at the same time moments of an organic unity, where they [do] not ... contradict one another, but where one is as necessary as the other; and this equal necessity of all moments constitutes ... the life of the whole.

Each step in Hegel's dialectic necessitates its transcendence into the next stage. However, Kierkegaard argues that this transcendence to the next stage is neither assured nor follows by 'necessity' (McDonald 2012, np). The dialectic steps I have taken in this thesis were determined by intuition, while appreciating this was one of many possible structures, not a matter of necessity. The end point is relative, rather than absolute, as Hegel claims (Wareham 2013).

In *Introduction to Critical Theory: Horkheimer to Habermas* David Held (1997, 177) argues critical theory – using the Hegelian dialectic method – identifies:

the insufficiencies and imperfections of 'finished' systems of thought. The dialectic method is a critical method for it reveals incompleteness where completeness is claimed. It embraces that which is in terms of that which is not, and that which is real in terms of potentialities not yet realised. Through continuous criticism and reconstruction, however, the partiality of perspectives can be progressively overcome.

The dialectic, as formulated by Horkheimer, remained 'unconcluded' in a bid to 'supersede' the limits of Hegel's notion of absolute truth (in Held 1997, 178). As Marcuse articulated it, this surpasses Hegel's closed or 'concluded' dialectic:

not by substituting for reason some extrarational standards, but by driving reason itself to recognize the extent to which it is unreasonable, blind, the victim of unmastered forces (in Held 1997, 178).

Critical theory using a dialectic approach allows a layering of disparate concepts, with each layer building on the last. The *synthesis* is far more than the sum of its parts (the positive and negative): it

is the product of their transcendence. In my use of the dialectic, my final synthesis is not assumed to be 'absolute truth' but the opening of an alternative perspective: hopefully a beginning, not an end. This generates a depth of understanding, incorporating different levels of social interaction. These range from individual behaviour to collective policy processes to political structures, demonstrating how human behaviour influences social structures and vice versa.

Thus, in the first half of this thesis – Part 1 – each of the theory chapters responds to, and builds upon, the previous chapter. This dialectic process constructs a framework – *attributional analysis* (AA) – which is tested in Part 2, through its application to the case study. In Chapter 1, community development is introduced as an antidote to social breakdown (Craig 1998; Mowbray 2000; McCall 2003; Glover Reed 2005; Munford and Walsh-Tapiata 2006; Shaw 2008; Tesoriero 2010), the fundamental 'problem' addressed by the NTER (Anderson and Wild 2007; Atkinson 2007; Hinkson 2007; Phillips 2007; Wild 2007). Transformative community development is articulated as a bottom-up, internally driven approach that focuses on the strengths and assets of the group, in recognition of the destructive effects of deficit based external intervention (Kretzman and McKnight 1993; McKnight 2001; Aigner, Raymond et al. 2002; Mathie and Cunningham 2002). But community development does not operate in a vacuum. The wider society largely operates on a deficit based⁵ system (McKnight 1995). This has consequences for community development, because this wider society (particularly government) is extremely influential as the 'enabling environment' (Kretzman and McKnight 1993; McKnight 2001; Aigner, Raymond et al. 2002; Mathie and Cunningham 2002). Especially in communities that are heavily dependent on external government funding. However, it raises far more serious questions about western society in general and, as the focus of this thesis, public policy in particular. Thus, the 'negative' of asset based community development – deficit based public policy processes – is addressed in Chapter 2 (Lasswell 1956; Bachrach and Baratz 1970; Howlett and Ramesh 1995; Parsons 1995; Bridgman and Davis 2004). The Australian policy cycle (Bridgman and Davis 2004) is introduced as an *example* of the resurgence of rational models for the

⁵ Also referred to as 'problem focused' or 'problem solving' throughout this thesis.

conduct and evaluation of public policy. This chapter demonstrates how a normative policy model pivots on establishing and defining the 'problem'. Confirming what community development proponents assert: that government funding requires problematising the target group (Kretzman and McKnight 1993; McKnight 2001). The community is then forced to maintain the problem to maintain funding, thereby creating dependence. The policy cycle also has its critics within the discipline of public policy (Everett 2003; Carson 2010; Colebatch 2005; Colebatch 2006; Howard 2005), but the analysis that offers the most persuasive insight into the problem-focus and how it operates is that of Deborah Stone (2002).

In Chapter 3, Stone's (2002) *Policy Paradox* is used to explore the deficit model of public policy. This unpeels the layers of the veneer of rationality, to reveal a very different picture to the officially sanctioned image of scientific, objective and logical policy processes (Peters 1989; Thomas 1989; Robins, Millett et al. 1998). But one vital question is left unanswered: if deficit based policy is dysfunctional and destructive, what is its source and what is maintaining it? To answer this question the next move in the dialectic is to the level of human social behaviour, in Chapter 4. Attribution theory introduces a range of unconscious biases (Heider 1958; Ross 1977; Kelley and Michela 1980; Hewstone 1983; Harvey and Weary 1984; Shaver 1985; Hewstone 1989; Weiner 1995; Hewstone and Fincham 1999; Försterling 2001) that extend our understanding of Stone's (2002) critique. Clear parallels can be drawn between the behaviour observed in public policy and the individual and group biases described in attribution theory. Chapter 5 builds on this critical insight and brings us to the culmination of Part 1, a synthesis of the knowledge developed through the preceding chapters. This chapter critically analyses two key assumptions underpinning attribution theory – objectivity and self-interest – and proposes an alternative perspective (Feather 1969; Ames 1975; Löchel 1983; Langdridge and Butt 2004; Langdridge 2007). It is argued the biases observed in politics and policy processes are not simply human, but masculine in nature (Belenky, Clinchy et al. 1986; Field Belenky, McVicker Clinchy, Rule Goldberger and Mattuck Tarule 1986; Oliver 1991; Mapstone 1995; Brizendine 2007). This demonstrates how individual and group behaviour has shaped institutional

and indeed, societal structures and processes. Thus, the ‘rationality project’ described by Stone is, in essence, patriarchal⁶.

Part 1 incorporates perspectives from a range of disciplines. It also moves across three broad conceptual levels: fundamental, dealing with individual human social behaviour; intermediate, including group behaviour, and collective processes like community development and public policy; and, meta-level, such as broad societal norms, structures and processes (also referred to as the dominant paradigm). By demonstrating that intermediate level processes are influenced by fundamental level behaviour (and vice versa), the unconscious operation and maintenance of patriarchy is identified. The biases underpinning this process at the meta-level in Western society are easily recognised in the assumptions of economics, capitalism and notions of competition.

The Case Study: The Northern Territory Emergency Response

The policy used as the case study to demonstrate the efficacy of *attribution analysis* was extraordinary, significant, racially based and the process was hurried. The Northern Territory Emergency Response (NTER) required the suspension of the Racial Discrimination Act, because it targeted Indigenous people – Aboriginal and Torres Strait Islanders – in an attempt to alter their behaviour (ABC 2007a; Hinkson 2007; Howard 2007). The stated aim of the policy was to stop child abuse. However, the response to the policy – and its stated aim – was mixed and in many cases, sceptical of the aim and highly critical of the process (Hinkson 2007; Hunter 2007; Johns 2008; Morphy and Morphy 2008; Taylor 2009). Introduced in 2007, it included a suite of measures that have been described as ‘unprecedented’ in Indigenous Affairs in recent decades (Harris Rimmer, Jagers et al. 2007). As will be demonstrated, it eroded the inalienability of the right to welfare.

There are several reasons for choosing the NTER as a case study. The legislative changes were significant and the policy process was unusual. Given the sweeping change involved, the NTER was

⁶ Used in its broad, contemporary sense, ‘a system of society or government in which men hold the power’ as defined by the Oxford English Dictionary, 2013.

initiated in a very short timeframe, severely limiting Parliamentary scrutiny (Hinkson 2007). The context for child abuse was social breakdown: unemployment, alcohol and drug dependency. This is the type of social challenge that transformative community development deals with (Kretzman and McKnight 1993). This makes the insight from transformative community development highly relevant as an alternative perspective. The situation lent itself to analysis of group dynamics, one significant focus of attribution theory (Phoenix 2007). While mindful of complex issues of identity, the differentiation between the policy makers and the policy targets, as identifiable social groups, comes through clearly in the analysis. And the policy itself was startling, given the issues of jurisdiction, the level of funding promised and the Government's eleven years of inaction on Indigenous issues.

Indigenous Affairs is an area of ongoing policy failure in Australia. After more than two centuries of policies focused on the 'Aboriginal problem', a 'solution' is yet to be realised. 1972 ushered in a new government and a shift away from paternalistic policy (Reynolds 1989). But after more than three decades of policy styled as 'Self Determination' Australia's Indigenous population is still disadvantaged on all major socio-economic indices. The NTER heralded a move back to paternalism, a trend that has continued, despite a change of government since (Macklin 2011). The Census conducted in 2006 – the year before the Emergency Response was launched – demonstrated that Indigenous life opportunities and wellbeing are far below those of non-Indigenous Australians (Australian Institute of Health and Welfare 2008). Nationally, the median Indigenous income was \$278, a little more than half that of other Australians at \$473 (AIHW 2008, 11). The proportion of Indigenous people who had completed high school to year 12 was less than half that for the wider population: 23 per cent vs. 49 per cent (AIHW 2008, 5). Full time employment was 40 per cent compared to 70 per cent for other Australians, with an Indigenous unemployment rate three times higher: 15 per cent vs. 5 per cent (AIHW 2008, 11). Poorer health, higher rates of violence and

incarceration all led to life expectancy that was 10 years⁷ less than other Australians (Australian Bureau of Statistics 2011, 4). There were minor improvements in education, employment and income from the previous Census but corresponding improvements in the wider population meant the 'gap' remained the same. Sen (1999) argues that freedom from poverty can be measured by the ability to choose a life you value, which goes beyond simple quantitative measures of income. But freedom to choose requires both opportunity and capacity and as the statistics indicate, both are reduced in the Indigenous population.

In line with critical theory, the primary focus of this analysis is not the policy targets – Indigenous people – but the decision makers, the people in the policy arena who wield the power. In public policy, the marginalisation of Indigenous people is explained in various ways. Boyd Hunter (2007) describes Indigenous disadvantage as a 'wicked' problem: a complex, ill-structured issue without agreement on cause and no realistic hope of solution (Rittel and Webber, in Bridgman and Davis 2004, 43). Substantial research has been conducted on the various complex and interrelated factors that perpetuate disadvantage, providing a broad range of literature to inform our understanding of this 'problem'. This range of research considers the legacy of colonisation, including historical contact (Attwood 1989; Clendinnen 2005; Prentis 2008; Reynolds 2006), violence and conflict (Attwood and Foster 2003; McGregor 2004; Moses 2004; Reynolds 2001) and more latent forms of social exclusion (Taylor 2008). It includes the attitudes and socio-biological theories that informed Indigenous policy (McGregor 1997; Neville 1947), its implementation across various colonies and states (Goodall 1996; Hollinsworth 1996; Plomley 1966; Plomley 1987; Rowse 1998; Tasmanian Historical Research Association 1971; Tatz 1964), and the experience (and affects) of these policies on Indigenous people (Altman and Gray 2005; Folds 2001; Manne 2001; Pearson 2009; Royal Commission into Aboriginal Deaths in Custody 1991). There has also been a plethora of solutions and recommendations on the best way forward in various areas of Indigenous policy (House Standing

⁷ Based on 2005-2007 data, the life expectancy at birth of Indigenous males is 67.2 years, compared to 78.7 for non-Indigenous males (11.5 years difference). Life expectancy at birth of Indigenous females is 72.9 years, compared to 82.6 for non-Indigenous females (9.7 years less).

Committee on Aboriginal and Torres Strait Islander Affairs 2004; Altman 2001; Atkinson 2002; Cape York Institute of Policy and Leadership 2005; Hunt 2005; Hunt and Smith 2006). However, the cause of disadvantage remains contested. While some maintain the historical disadvantage stance, others (Pearson 2009; Sutton 2005) argue that some aspects of 'traditional' culture have damaging impacts in contemporary western settings. This is further complicated by disagreement over what constitutes 'traditional' culture and how this is recorded, remembered and understood in the present (Behrendt 2000; Bell 1980; Bird Rose 1992; Etienne and Leacock 1980; Robert 2001).

The scope of the analysis presented in this case study is limited to the decision making process, going little further than the passage of the Bills through Parliament. This allows the breadth and complexity of the policy measures to be embraced by describing all the legislation, in order to portray the scale and extent of the social changes wrought. As the cause of social breakdown in Indigenous communities remains contested, it provides a perfect case study to explore the bedrock of public policy decision making in Australia.

Chapter Outline

The first half of this thesis explores the theory, employing a dialectic method to encompass the knowledge offered by several disciplines. In Chapter 1 *Community Development* is presented to establish an alternative lens through which to view public policy. It provides a brief background into the evolution of community development thought and explains the rationale for the approach chosen. It then focuses on the work of John McKnight and Jodie Kretzman. In *The Careless Society*, McKnight (1995) illustrates how the innate self-sufficiency of many communities has been eroded in the United States. An understanding of this process, its outcomes and its drivers, provides insight into redressing the damage done by public policy, well-meaning professionals and their services. This understanding forms the foundation of their solution to social breakdown in poor communities. *Asset Based Community Development* (ABCD) (Kretzman and McKnight 1993) and its newer version *Whole Community Organising* (McKnight 2001) are practice based strategies with proven success. It

is argued these approaches transcend the weaknesses of earlier community development theory and practice. The theoretical validity of these approaches is discussed by Mathie and Cunningham (2002) and Aigner, Raymond and Smidt (2002). They reveal how focusing on people's strengths or 'assets' rather than their weaknesses or 'deficits' can allow them to outgrow their limitations. This approach has real possibilities for healing Indigenous communities. But the barriers created by the broader setting in Australia – the 'enabling environment' – also become obvious. This brings the focus onto government and public policy: the central concern of this thesis. The principles of transformational community development raise questions about the legitimacy of public policy processes generally.

The next dialectic step focuses on the negative of ABCD, deficit based policy processes: *The Policy Paradigm in Australia*. Chapter 2 presents the work of Bridgman and Davis in *The Australian Policy Handbook* (2004) as an example of policy processes in the tradition of Lasswell and Simon, which point towards the current 'revival of rationalism' (Everett 2003) within Australia. A review of the policy cycle illustrates the logical, sequential and rational process recommended in the formation or analysis of policy. One of Bridgman and Davis's eight steps, 'agenda setting' makes the critical role of the 'problem' in public policy clear. This focus is the antithesis of the first principle of ABCD, raising serious questions about the efficacy of problem solving as a policy process, and more generally. ABCD not only undermines the deficit based models of policy but offers a tantalising hint of possible alternatives. This type of policy framework has also received broader criticism (Stone 2002).

Chapter 3, *Critique of the Policy Paradigm*, turns to a scholar from the United States for a robust analysis of models similar to the Australian policy cycle. Deborah Stone (2002) – in a critique that resonates with Horkheimer's – argues these rational approaches create the *impression* of logical processes, rather than the reality. Stone provides a means of narrative analysis to unpack policy discourse and get to the heart of what is really happening. Understanding the rhetorical devices used in policy reveals how persuasion is employed to win support for some ideas over others. Stone

contends that policy is more art than science (2002). It is at this point that our perspectives diverge. Stone revels in the paradox of policy masquerading as science but I want to know *why* this pretext is necessary. I want to show *why* rational models conceal irrational processes and to present an alternative more in keeping with ABCD principles.

To delve into this question, the next dialectic step turns to attribution theory – from the discipline of social psychology – in Chapter 4. Attribution theory examines human behaviour in social contexts. This chapter reviews ‘classic’ attribution theories and goes on to examine the common biases that are observed in everyday activity. These explain the tendencies that shape our judgement of others and how we judge ourselves. When married with Stone’s insights, attribution theory provides an explanation for the ‘art’ of public policy. But while it describes the human dimension, it remains firmly within the conceptual frame that has limited other attempts to understand why apparently rational processes mask irrational behaviour.

The analysis of the formative years of attribution theory research in Chapter 5 uncovers the flawed assumptions that continue to underpin the theory. A critique of attribution theory by Langdridge and Butt (2004) calls into question the assumption of objectivity, which many theorists have relied on. In addition, an analysis of research into sex differences in attribution styles, which applies AT principles to AT theoretical practice, identifies bias in research design and in the discussion of findings and conclusions (Feather 1969; Löchel 1983; Mirels 1980; Oliver 1991; Rosenfield and Stephan 1978; Ross 1977). This identifies the inclination of researchers to normalise masculine attribution biases and to *pathologise* feminine tendencies. Feminist critiques of attribution theory during the 1980s tended to downplay – rather than defend – feminine difference (Frieze, Whitley, Hanusa and McHugh 1982). This analysis of attribution theory permits a new conceptualisation of attribution bias, one that encompasses *difference* in attributional styles. The synthesis of the knowledge developed over the preceding chapters, drawing an analytical method from both Stone and AT, provides a framework for examining policy narratives, processes and structures: *attribution analysis*.

This framework reveals the origin of policy dysfunction, explains the subconscious motivation behind the problem focus and shows the mechanisms that maintain both. This chapter concludes Part I with an outline of *attribution analysis*, which brings together the principles of ABCD with an explanation for the perpetuation of dominant paradigm.

In Part II, this theory is tested through application. It opens with Chapter 6, which provides background for the case study into the NTER. This touches on the history of Indigenous policy Australia, and then considers how these trends played out in the Northern Territory. This review uses *attribution analysis*, to demonstrate how responsibility for policy failure has been attributed to the target group throughout two centuries of Indigenous Affairs. A recent policy shift in Queensland (CYIPL 2007) – addressing similar social issues – helps contextualise the NTER within the wider Indigenous Affairs agenda. Moving from the broader context to the specific issue, a summary of the report commissioned to investigate child abuse in Indigenous communities provides background to the problem, its cause and extent. This report was used as justification for the policy, yet its recommendations provide a counter point to the legislation.

Chapter 7 focuses on the NTER policy itself, reviewing the non-legislative instruments briefly and the extensive legislation more closely. This chapter begins in the week the policy was announced (in a media release) by the Prime Minister John Howard and Indigenous Affairs Minister Mal Brough, setting the scene for the NTER. It describes the policy measures, what is known of the decision making process and the policy advice that attended the passage of Bills through Parliament eight weeks later.

In Chapter 8 Bridgman and Davis's (2004) ideal – the policy cycle model – is used to analyse the process from a perspective firmly within the policy making 'frame'. This analysis considers the adequacy of the decision making process, evaluating the various instruments through the eight-step process advocated for the effective formation of policy. This identifies the weaknesses in the

decision and the deviations from the normal policy process. It also identifies weaknesses in the policy cycle itself, supporting Stone's critique.

However, it is not until we step outside the normative frame that the limitations of current policy processes really become clear. In Chapter 9, attribution analysis identifies the bias – ideological, individual and group – of the primary decision makers. This analysis also uncovers evidence of *groupthink* within the process. The discussion contemplates how the declaration of an 'emergency' was used to reinvigorate a stalled policy agenda, and engages with the conclusions of the policy cycle analysis. Attribution analysis not only finds weaknesses in the NTER, it also exposes fundamental flaws in normative policy processes and adversarial political structures. The insights from transformative community development support these findings, helping to clarify the process and more importantly, provide an alternative conceptualisation. The Conclusion examines the possibilities and implications of the findings, for the NTER, for public policy more broadly and for the potential of attribution analysis in future research.

Conclusion

On one level, Horkheimer's *Critique of Instrumental Reason* sought to understand how sane, 'rational' human beings could consider genocide the 'solution' to a 'problem' (in Audi 1999). Lasswell and Simon both perceived the need for normative processes to prevent 'human' mistakes in decision making (in Parsons 1995). In the context of a contemporary revival of rationalism, this thesis takes up this challenge, but from an alternative position. The full depth and breadth of our humanity is embraced, not obviated against. This journey starts at the grassroots level – community – where relationships and mutual support are not considered part of the problem but key parts of the solution. This perspective establishes a positive model for advancing social and political development.

Part I: Attribution analysis

Community Development

The first step towards building an alternative theoretical framework begins with a discipline outside public policy. Community development is presented here for three major reasons: transformative community development identifies how problems are created and maintained, it offers an approach to create positive change and it is relevant to the focus of the case study undertaken in Part 2. First, it is necessary to step outside a particular frame (in this case public policy) in order to see it clearly. The transformative models presented in the chapter provide an alternative lens with which to view policy processes and their outcomes. This raises questions about the problem focus (or deficit based model) of current policy and politics. As will be illustrated, this problem focus has serious implications for community development. But more importantly, transformative community development demonstrates that the problem solving model undermines the validity of public policy itself. Second, instead of simply providing a critique, community development offers an alternative approach that could inform the conduct of public policy. Third, the case study that forms Part 2 of this thesis deals with a policy intervention into communities suffering social breakdown, a situation community development is expressly designed to address. Community development is presented as a positive in the first step of the dialectic method, providing context and contrast for the chapter on policy which follows. This chapter focuses on the intermediate conceptual level of collective activity but is informed by disciplines concerned with the fundamental, as well as the intermediate level of human behaviour and interaction, such as sociology, psychology and social psychology. This means that by the time we reach chapter 5, we will have come full circle, returning to (and linking) the fundamental and intermediate levels, to explain how they influence the form and function of the meta-level – and in turn are shaped by it.

Community development is a grassroots response to the increasing incidence of inequality around the world (Tesoriero 2010, xi). This chapter focuses on transformative approaches to development

at the community level. First, it provides a brief background of the growth of community development, tracing the trend from traditional approaches to more transformative models, which acknowledge the need to empower people. This trend has required a corresponding shift in theory. The way scholars who support transformative approaches conceptualise the creation of inequality identifies the factors that create community breakdown. These factors include a range of structural changes that have occurred at the international level. At the national level, McKnight (1995) in *The Careless Society*, interprets the domestic trends observed in the United States, many of which apply to the Australian context. This demonstrates how challenges at the local level are often generated at the national or even global level. This insight applies to many western nations. This discussion explains the evolution of one transformative model, *asset based community development* (ABCD), establishing the *raison d'être* for the approach (1995). ABCD, a common-sense guide for practitioners, is then introduced. However, the lack of a theoretical basis for ABCD has been identified as a limitation (Mathie and Cunningham 2002). To overcome this limitation, I review two articles that have responded to this criticism by supplying this theoretical underpinning. Finally, the implications for the broader environment (particularly public policy) are discussed before contextualising this insight within Australia.

Background of Community Development

The concept of community development first gained credence in the international context. It began as a strategy employed by western nations to help communities in 'developing' countries overcome the challenges they faced (Craig 1998). This usually involved the transfer of western technology and knowledge to bridge the socio-economic gap between the two societies, assuming western success could be imparted with western know-how. This perspective was encapsulated in the Chinese proverb, '[g]ive a man a fish and you feed him for a day. Teach him how to fish and you feed him for a lifetime', often quoted in community development literature (Green and Kearney 2011, 46). These perspectives reinforce the perception that people lack the basic knowledge to survive, ignoring the

underlying causes of poverty. They can project responsibility for the increasing poverty seen across the world (Craig 1998) onto the poor, as an outcome of some intrinsic deficit. All too often, the pressures that threaten a community's viability are external and beyond their control (Aigner, Raymond and Smidt 2002; Craig 1998; Kretzman and McKnight 1993; Mathie and Cunningham 2002). Centuries of state and corporate colonisation and war have resulted in the dispossession and degradation of land, the stripping of resources and social upheaval. These processes have altered previously successful economic and social structures, undermining the foundations of community. The existence of life itself is evidence of survival: evidence of the capacity of people to meet their basic human needs.

This traditional form of community development not only failed; all too often, it caused more harm than good (Craig 1998). In cross-cultural situations, this harm included the denigration of the culture of the recipients of 'development'. And traditional, externally driven community development begins to fail as soon as external resources and impetus are withdrawn. Over time, acknowledgement of this failure has altered the fundamental tenet of much community development. It has shifted from something you do *to* communities, to something communities have to do *for themselves*. Empowering people to shape their own futures is the only sustainable strategy to respond to the changing global environment. This recognition introduced a human rights perspective to community development, broadening its focus beyond the narrow economic concerns of the past (Craig 1998; Tesoriero 2010). Tesoriero (2010) argues that alternatives to traditional strategies are increasingly vital, in light of the range of issues facing communities worldwide. These alternative strategies have stimulated the evolution of community development theory.

Glover Reed (2005) argues that the relevance of theory goes beyond academic enquiry: it is vital for community development practice. All theory is founded upon a system of assumptions, principles and processes used to analyse, predict or explain social experience or behaviour (Glover Reed 2005).

However, these assumptions are informed by the paradigms from which they emerge (Kuhn 1970). The dominant paradigm establishes a set of basic beliefs, grounded in ideology. Theories are not universal and objective, as they are often portrayed, but are culturally specific and subjective. Even theories emerging from alternative cultural contexts are often influenced by the dominant paradigm, and their capacity to challenge that dominance is curtailed. Theories are a product of the discipline and time in which they were created. Therefore, Glover Reed (2005, 98) argues, they are 'likely to reflect the biases and worldview of those with more power in society'. Theories are not culture free – most are ethnocentric. For this reason, their utility in cross-cultural situations needs to be examined. Paradigms of knowledge and theory can actually function to marginalise those already disempowered within society even further. Thus, critically reflecting upon the theoretical principles employed is particularly important when dealing in a cross-cultural context like Indigenous development in Australia (Hunt 2005; Munford and Walsh-Tapiata 2006; Williams 2004), the case study that will form Part II of this thesis.

Glover Reed (2005) suggests three stages of 'praxis' or theoretical process. These stages comprise 'learning about and applying existing knowledge and theory, enacting that knowledge through action, and reflecting on that action to revise our knowledge and theories' (Glover Reed 2005, 88). Unfortunately, the 'reflection' stage is often missing when dealing with community development theory outside of practice, leaving the unacknowledged assumptions hidden, and therefore unexamined. Despite these challenges, theory provides a framework for action and analysis (Glover Reed 2005). It allows the analyst or practitioner to identify the underlying assumptions and ideology that are informing the process. It also enables the researcher to establish appropriate goals and identify methods to realise those goals. Theory can help identify the operation of power, the barriers to social justice, and the maintenance of the *status quo*. Of course, the importance of theory goes beyond community development and a similar argument is made in the next chapter on public policy. Glover Reed (2005) identifies a range of broad theoretical types, from evolutionary theories that encapsulate notions of 'progress', through to the construction of meaning. Several of these are

relevant to the *asset based community development* ABCD approach. But perhaps the heart of ABCD practice sits best within the category of critical theory (Adorno and Horkheimer 1979; Horkheimer 1996; Horkheimer 2004), as it strives to counteract the creation and maintenance of oppression. ABCD does not directly target the usual differentiations – constructions of race or gender – but by encouraging community members to create a shared sense of meaning, it strives to dissolve old differences. This breaks the cycles that maintain divisions. And ABCD reflects new paradigm thinking, rather than belonging to any of the theories encapsulated by the dominant policy paradigm.

The dominant paradigm has been described as *western, Cartesian, Newtonian* and various other terms by a range of scholars (Tesoriero 2010). Originating in the Enlightenment period, Tesoriero (2010, 37) explains that the dominant paradigm reflects:

the physics of Newton, the philosophy and mathematics of Descartes, the scientific theory of Bacon, the utilitarianism of Bentham, the political theory of Locke and the economics of Adam Smith, among others.

Tesoriero (2010, 37) points out that the legitimacy of this dominant world view, which ‘emphasises objective, scientific rationality and undervalues subjective experience, intuition and other forms of knowledge’ is contested. One of the most powerful challenges so far has come from the physical sciences, generally considered the ‘archetype’ of the dominant paradigm. Tesoriero (2010, 38) explains:

The impact of the Heisenberg uncertainty principle, quantum physics, relativity and chaos theory has been to question the certain, ordered and predictable world and to acknowledge the existence of unpredictability and uncertainty so the whole foundation of the dominant paradigm is called into question.

In the social sciences, which have been modelled on the physical sciences, similar challenges have been levelled against positivism and empiricism (Tesoriero 2010). The dominant paradigm gave rise to the ideology of ‘progress’ that facilitated the rise of capitalism, the devaluing of community, and the dominance and exploitation of the natural world. Thus, it is complicit in the ‘current ecological crisis’ (Tesoriero 2010). Because it developed during a period when women were excluded from power in the public sphere, it reflects and reinforces patriarchy (Tesoriero 2010). In contrast,

transformative community development acknowledges subjective experience and values personal relationships. For example, Mathie and Cunningham (2002, np) mobilise appreciative inquiry theory, which relies on the power of memory and imagination but ‘lack[s] the hallmarks of objective empiricism’ in support for ABCD.

The International Context

Community development occurs at the local level. However, an understanding of how global issues affect this local level is imperative. Gary Craig (1998, 7) argues that global structural changes over the past three decades have led to ‘increasing numbers of people in poverty, of social division and exclusion’. The free market ideologies that were hailed as the solution to poverty have failed (Craig 1998). In many former socialist countries, the introduction of free market economy actually increased the wealth differential, rather than alleviating it (Craig 1998). Internationally, there has been an increasing concentration of power in the hands of people without a democratic mandate (Craig 1998). The influence of private economic interests over public policy can be significant. Internationalisation facilitates the transferability of labour investment across national boundaries, increasing corporate influence. However, the physical separation between the decision makers and their employees decreases pressure on corporations to take responsibility for the negative outcomes that moving production offshore can have on local communities (Craig 1998). Worldwide, the economic benefits of the free market are more unevenly distributed, as indeed are the costs.

The resulting economic exclusion can increasingly lead to violence (Craig 1998). More than a decade ago, Craig (1998, 11-12) noted the rise of poverty, religion and race as the basis of conflict.

Unfortunately, this observation has only gained credence over the intervening period. Economic and social exclusion leaves people more vulnerable to extreme fundamental religious doctrines. As Craig (1998, 11) points out, ‘[h]istory teaches us how economic despair feeds into ideological fascism’. In terms of race, the growth of identity politics during the 1980s was used as an opportunity for

political action (Craig 1998). But this opportunity also has the potential to create division and conflict, both between and within communities. Mae Shaw (2008, 5) argues:

it is vital to recognize the ways in which structural location, material circumstances, position within the division of labour, gender, age, ethnic identity, and so on, structure community relationships.

Focusing solely on overall wealth can mask increasing inequality within communities. Lewis Williams (2004) argues that community development based on identity *can* retain an inclusive approach. However, cultural norms and identities deserve interrogation. Williams (2004, 357) advocates assessing the 'culture and development dynamics [that exist] within [and] ... between communities at the margins and dominant groups', for elements that affect self-determination and equity. The elements to be maintained or adopted should embrace the values of humanity, respect and dignity for all. Community development should empower *all* members, not simply increase the material wealth of the collective.

The Domestic Context: Democratic Nation States

John McKnight (1995) published *The Careless Society: Community and its Counterfeits* as an exploration of the societal structures that undermine community. McKnight (1995, 3) begins with a story because 'traditional wisdom is passed on through stories rather than studies'. McKnight (1995, 3) quotes Schumacher in *Small is Beautiful*, arguing 'the traditional wisdom of mankind' holds real insight but the value of science and technology is in the ends they serve. In this story set in a Midwestern community, McKnight likens the introduction of a service professional (a grief counsellor) to the introduction of new agricultural technology: the 'sodbuster' plough. The plough made the widespread cultivation of the prairie possible for the first time. Prior to this, the agricultural activities of the Indigenous population had used sustainable practices and technologies. Within thirty years, the use of the sodbuster plough resulted in profound environmental degradation. This environmental destruction is used as a metaphor for the social destruction created by the introduction of grief counselling services. The external professional disrupted the support mechanisms that had previously sustained people during times of sorrow. Ultimately, the

community loses the capacity to support its own, as friends and family pull back in deference to the *professional*. Soon the community becomes dependent on professional assistance – they become *clients* of services (McKnight 1995).

The professional service system is destructive. McKnight (1995, 18) argues that professionalism has the authority to define people as ‘deficient by those whose incomes depend upon the deficiency they define’. He identifies three alternative views on the causes of the ‘professional problem’, each entailing a different solution (McKnight 1995). The first is to consider it an issue of inefficiency. There is a growing perception that the more funds expended on professional caring services – health, education and law – the less effective they become. The solution is to engage managers, budget analysts and cost-cutters to ‘trim the fat’. In effect, to employ more professionals to monitor the professionals.

The second perspective is to consider it a problem arising from professional arrogance (McKnight 1995). The professional has the power to define and treat a problem, and then to evaluate the efficacy of that treatment. The integration of professions into large institutional systems further cements this power. People in need – now ‘clients’ – are increasingly disempowered, effectively become commodities for the profession. The resulting professional arrogance has led to consumer reforms to ‘force’ professionals to ‘care’. Paradoxically, the solution designed to address this problem is advocacy, which is innately adversarial and confrontational. Both these problems and their solutions tend to exacerbate, rather than alleviate the problem.

The third explanation is that professional service provision is *iatrogenic*: that professions *do* work, but to our detriment. McKnight (1995, 20) advocates this argument, turning to other scholars’ descriptions of ‘the negative effects of professional dominance upon the problem-solving capacities of the primary social structures of society’. He cites Christopher Lasch, who describes ‘the family as a victim of the professional serving as a capitalist vanguard commodifying the nonworking time of Americans to ensure new markets’ (McKnight 1995, 21). McKnight (1995, 20) quotes Ivan Illich’s

description of: 'sick-producing medicine, stupidifying education, and criminalizing justice' as forms of professionally administered injury. Illich (1971, 65-6) argues that during the 1960s, a convergence of style took place within systems such as health, education and politics, when they became 'bureaucratic, self-justifying and manipulative'.⁸ McKnight (1995) admits that this explanation, that services are counterproductive – they actually create the problem they are trying to solve – is the least palatable of the three. The inability of 'clients' to accept this reality leads to coping responses that tragically maintain the need for professional help. As McKnight (1995, 21) observes 'the problem definer creates the treatment that creates the problem and creates the remedy...'

How the Professional Problem Manifests

Professional services operate on assumptions of 'need' which McKnight argues have 'disabling characteristics' (1995, 43). Firstly, need is equated with deficiency, and this deficiency has to be maintained in order to maintain the demand for services. Secondly, the deficiency is situated *in* the client (ignoring the context, which is usually the cause). This limits treatment to individualised responses, which are unlikely to work if the cause is external. Finally, the individual is not even treated as a whole, but is dealt with as a series of deficiencies under different specialisations. From these assumptions of need arise assumptions of remedy (McKnight 1995). Firstly, the professional–client relationship is unilateral: if the client is the problem, the professional is the solution. Strategies that do not reflect this unilateral relationship are merely symbolic devices, *sustaining the pretence of democracy*, while actually creating antidemocratic dependence (McKnight 1995, 47). Secondly, the remedy defines the need and as McKnight (1995, 48) argues, 'there is no greater power than the right to define'. Thirdly, esoteric language or 'professional coding' is used to mystify the process so that the consumer of the service cannot understand the problem *or* its solution. Finally, the system has the right to gauge the efficacy of its own service provision. This is described as the universalisation of school ideology (McKnight 1995). The education system defines the examination

⁸ *Deschooling Society*, a radical challenge to the education system, arose from Illich's collaboration with members of the Center for Intercultural Documentation in Mexico (Illich 1971). The work is openly attributed to the collective ferment of ideas arising from this collaboration.

criteria that measure the success of its service. Instead of the service provider having to satisfy the client, the opposite applies: the student has to satisfy the teacher. Thus, McKnight (1995, 49) argues, service systems ‘... gain the power to unilaterally define remedy and need and to code the service process’ and then evaluate their own efficacy.

McKnight (1995) demonstrates how the *professional problem* operates across different fields. For example, he argues there is a chronic health care crisis in the United States. A series of reforms have not solved this crisis, only created the opportunity to expand the health system’s influence, scale and control. These reforms range from the call for equal access – which broadened the right to consume – effectively increasing demand, through to prevention, which legitimised increased demand without increased need (McKnight 1995, 57). As McKnight (1995, 57) points out, the result is increased investment in medicine (going into the pockets of health professionals), despite ‘modern medicine [being] irrelevant as a major determinant of health’. For example, a study in Cook County, Illinois, demonstrated only one third of expenditure on poor people went directly to them, in the form of income (McKnight 1995, 72). Another third went to the medical industry. Investing this money in a proven determinant of health – the alleviation of poverty – would have been a sounder option.

Attempts have been made to humanise the service professions but McKnight (1995) argues they are doomed to fail. This is because both public and private sectors have a vested interest in their proliferation. Increased growth in the service professions is vital under ‘current approaches to economic growth and national stability’ (McKnight 1995, 21). These approaches rest on the mantra of sustainable economic growth, measured by the gross national product (GNP) and professional services are important to the GNP (McKnight 1995, 21). Thus, economic pressure to expand service industries drives the proliferation of professions. For example in the United States, public policy favours institutionalised aged care provision. The alternative – in-family care – incurs financial disincentives because it has *no value* under the accepted measure of wellbeing: the GNP. McKnight

(1995, 36-52) argues that because social services exist as mechanisms for economic growth their 'clients' become the economic resources – both input and output – for service industries. The private sector has a vested interest in maintaining demand. If the economic rationale for service systems is legitimate, their 'need' for clients must also be legitimate (McKnight 1995). This should remove the motivation to project 'need' onto the client. However, the political ideology of social service systems, based on the symbolic use of the concept of 'care', masks the interests of the service providers: even to themselves (McKnight 1995). The consequence is that citizens anticipate the adequate provision of that care, which makes it politically impossible *not* to maintain a service industry, even one that is counterproductive.

McKnight (1995, 26-35) examines how the economic imperative to increase demand in the service industry has created age based categories of need. The term childhood was introduced 150 years ago. Since then, a range of professions has developed to meet the defined needs of this demographic such as teachers, paediatricians and juvenile justice workers. The medicalisation of women's reproduction has likewise created service demand during the reproductive years. Old age is the latest area of growth in the 'helping services', with a focus on life extension. McKnight (1995, 30) argues that pathologising normal life stages commodifies people, making them 'the raw material of 'helping' professions'. But McKnight argues there is a price to pay: 'The age oriented service industries break families, neighborhoods, and community and decimate the caring capacities of human beings' (1995, 33). The current tendency to extend age categories is reflected in the increasing period that 'children' remain dependent on their parents and the relatively younger retirement age in comparison to increased life expectancy (McKnight 1995). This serves a dual function: it increases service demand and narrows the age demographic (between childhood and 'oldhood') of the professionals available to meet that demand.

However, McKnight (1995) identifies the looming demographic change in age spread (the ageing population in western nations) as a weakness in this economic logic. In the United States in the

1950s, there were 100 people employed (and paying tax) for every six individuals receiving social security; by 2030 it is estimated there will be only two people in the labour force for each social security recipient (McKnight 1995, 32). This looming crisis should be used as an opportunity to dismantle the categories of age. Instead of defining old age as a problem, we should be identifying the knowledge, skills and capacities of older people. Instead of pouring resources and effort into aged care services, investment should be in physical infrastructure (addressing decaying neighbourhoods) to enhance the wellbeing of all. McKnight (1995, 34) argues the preoccupation with life extension in aged care reflects 'a death-fearing association with old [age that] creates the basic incentives for much of the ... industry'. However, this fear is created by the definition of death – a natural life event – as yet another *problem*.

The widespread acceptance of the service system has influenced the political system, damaging democratic processes. McKnight (1995, 60) describes how the:

medicalization of politics through the propagation of a therapeutic ideology ... the basic problem is you ... the resolution of the problem is my professional control ... my control is your help

is redefining politics. McKnight (1995, 52) argues that:

Professionalized services communicate a worldview that defines our lives and our societies as a series of technical problems. This technical definition is masked by symbols of care and love that obscure the economic interests of the servicers and the disabling characteristics of their practices.

This latent mechanism of control shifts citizen engagement from interactive to unilateral, policy from shared intelligence to 'clienthood', and citizen action to control of clients. The antidote is a political society free of the hegemony of 'therapeutic ideology', replacing the unilateral relationship with an interactive one (McKnight 1995, 61-62).

McKnight argues the answer is community (1995, 170-71). Communities foster and rely on capacity, while professional services commodify deficiency. Communities embrace collective effort, shared responsibility and respond to personal need, while professional services are individualistic; obliging people to change to be accommodated. Communities see value beyond money, embracing human

fallibility, while professional systems – driven by profit or cost – strive to cure human fallibility.

Communities share knowledge through stories, institutions control knowledge through reports and research. Communities embrace celebration, joy and tragedy through human connection, while service systems are places of serious silence, reasoned meetings and focus on ameliorating the dilemmas of life.

Transformative Development Models

This conceptualisation of community breakdown and diminished capacity leads to an alternative model of community development. The answer is not more services; it lies in rebuilding lost capacity. Transformative approaches to community development respond to the weaknesses of ‘traditional’ approaches.

Asset Based Community Development

Jody Kretzman and John McKnight (1993) formulated *asset based community development* (ABCD) as a practical response to community decline. This approach provides a ‘how to’ for community development practitioners working at the grass roots level, based on a set of principles to counter the harmful influence of the dominant paradigm. In *Building Communities from the Inside Out*, Kretzman and McKnight (1993) describe the images evoked when the names of ‘problem’ communities arise in the United States. A similar response occurs in many urban areas and in Aboriginal communities in Australia. The negative images of ‘crime and violence, joblessness and welfare dependency...’ (Kretzman and McKnight 1993, 2) could apply equally to remote Maningrida in the Northern Territory or town camps on the outskirts of Alice Springs or Darwin. The authors argue that while these images ‘convey part of the truth’ they are assumed to be the ‘whole truth’ (Kretzman and McKnight 1993, 2). This shapes public perception and policy responses, leading to a problem focus, creating a needs-based approach centred on service delivery (Kretzman and McKnight 1993). This problem focus tends to fragment policy effort through overlap and competition between the different departments providing services. It also directs funding to service

providers rather than the groups in need. Community leaders have to identify continuing 'need' in order to attract and maintain funding, creating a focus on deficits. Resource allocation based on needs prioritises external relationships (with funding bodies and other professional 'help') at the expense of internal relationships. Governments tend to deal with people (or 'clients') on an individual basis, rather than at the community level. This needs based focus creates a cycle of dependence and also shapes the self-perception of community members. One unintended consequence is the motivation to outwit or bypass the 'system'. The resulting focus on survival stifles change and effectively maintains the *status quo* (Kretzman and McKnight 1993). This is the 'passive welfare' trap that Noel Pearson, of the Cape York Institute for Policy and Leadership, laments in Cape York Indigenous communities (CYIPL 2005). This self-perpetuating system also traps many Indigenous professionals working hard for their people and communities, who are unwittingly helping to maintain the problem.

Kretzman and McKnight (1993) suggest an alternative approach. Instead of focusing on what the community lacks, they advocate cataloguing its strengths by mapping the assets within a community and building on these. This focus on strengths is one of the three principles of ABCD. These 'assets' encompass the skills, strengths and gifts of all community members and the relationships (formal and informal) within the community. The second principle is that development strategies should be internally conceived, focused and driven. The third principle is the importance of relationships, which are considered the foundation of 'community'. Kretzman and McKnight's approach has enjoyed success over the past decade and a half; however, one criticism has been its lack of a theoretical foundation (Mathie and Cunningham 2002).

From Clients to Citizens

In *From Clients to Citizens: Asset-based Community Development as a Strategy for Community Driven Development*, Alison Mathie and Gord Cunningham (2002) establish a theoretical foundation for ABCD. The authors provide a brief summary of Kretzman and McKnight's ABCD and place it within

the broader literature of community development. This identifies the points where the ABCD approach intersects with, and diverges from, alternative community development theories. The authors contrast Kretzman and McKnight's asset based principle to the traditional needs based approach that maintains dependency instead of addressing it. They contrast the principle of endogenous, internally driven development to the exogenous, externally driven and mainly top down approaches it replaces. The third and final principle considers relationships as assets, and therefore of prime importance. Mathie and Cunningham (2002, np) outline the seven steps of the ABCD process as:

- Collecting stories about community successes and [the capacities that contributed to that success]...
- Organizing a core group to carry the process forward...
- Mapping completely the capacities and assets of individuals, associations, and local institutions...
- Building relationships among local assets...
- Mobilizing the community's assets fully for economic development and information sharing purposes...
- Convening as broadly representative group as possible [to create] ... a vision and plan [and]
- Leveraging activities, investments and resources from outside the community to support ... development.

Mathie and Cunningham (2002, np) identify five key elements of ABCD and propose five theoretical areas from the literature that correspond to these elements, in an effort to fill the gap. The first, *shared meaning*, focuses upon building a positive sense of collective identity (Mathie and Cunningham 2002). The first step, collecting stories – of past successes, histories of survival and strength, of triumph over adversity – strives to build solidarity and to focus attention on strengths and positive achievements. The authors propose *appreciative inquiry* as the theoretical framework to nurture shared meaning. Mathie and Cunningham (2002, np) describe the focus of appreciative enquiry as the creation of knowledge, the motivation of individuals and 'the characteristics of effective communication'. Appreciative enquiry draws upon both memory and imagination to construct a positive attitude to the past, a sense of purpose for the present and hope for the future.

Out of the shared meaning created through stories of the past grows a shared vision for the future. Appreciative enquiry functions to minimise the effects of power relations and encourage the engagement and commitment of all community members. Mathie and Cunningham (2002) turn to Jung, who contends that problems are fundamentally insolvable: they have to be outgrown by attaining a 'new level of consciousness'. That which we focus our attention on will naturally grow in our perception. Mathie and Cunningham (2002, np) point out that concentrating on negatives, on deficits or problems, leads people to 'internalize this negativity'. Nurturing shared meaning focuses community members on their assets, creates solidarity and constructs a shared vision, out of which future goals emerge.

Mathie and Cunningham (2002) turn to social capital theory for the second element of ABCD: *formal and informal relationships*. This theory identifies the value of relationships in 'associational life', how they foster prosperity within communities and the conditions that strengthen or weaken these associations and networks. The value of relationships is one of the key principles of ABCD. It informs an understanding of what community is and how to develop it. The authors differentiate between two types of relationships: bonding social capital, described by Woolcott and Narayan (2000) as the horizontal ties that help people 'get by'; and, bridging social capital, the vertical ties which assist people to 'get ahead' (in Mathie and Cunningham 2002, np). All seven steps of the process depend on relationships, both at the personal and associational level. However, the fourth step of ABCD focuses directly on building relationships. This step aims to mobilise bonding social capital, the close relationships between family and friends that people rely upon in times of stress, to build community. The final step in the process – leveraging external support – can be facilitated by increasing bridging social capital. This includes relationships with associations and people beyond one's 'affinity group' (Mathie and Cunningham 2002).

Economic capacity is the third element cultivated by ABCD and mobilising this capacity is the fifth step. Mathie and Cunningham (2002) look to the range of *community economic development*

theories for support. Community economic development theories offer insight into stimulating group capacity for economic growth. These theories range from exogenous, aiming to foster economic development by 'reforming economic systems', through to endogenous, focusing 'on the economic capacities of groups' (Mathie and Cunningham 2002, np). The authors identify group centred community economic development as the most apt for ABCD. In this endogenous approach, the community is self-defined (through a 'common bond'), they control resources and the major aim is to foster individual and group empowerment. Mathie and Cunningham (2002, np) consider the most appropriate forms of financial institutions to be 'village banks, credit unions, savings and credit cooperatives' and the most appropriate forms of industry include cooperatives and community enterprises. The aim is to increase the self-reliance of the poor by defining community along socio-economic lines to capture the marginalised, and by focusing on service provision.

Empowerment is the fourth element of ABCD. Mathie and Cunningham (2002, np) contend that theories on participatory approaches offer an understanding of the distribution of 'power, ownership and control of resources'. This insight is necessary if these entitlements are to be redistributed within communities, or between communities and external stakeholders (Mathie and Cunningham 2002). Participatory approaches theory clarifies the characteristics and consequences of empowerment, and identifies ways to facilitate it. This theoretical insight operates in the third step of ABCD, 'asset mapping', and throughout the process to ensure 'that the strengths of all individuals are valued and legitimated through their equal and active participation' (Mathie and Cunningham 2002, np). Participatory approaches theory is central to ensuring the ABCD process remains endogenous, one of its key principles. It also helps to avoid dependency on external agents, one of its major challenges. Authors such as Petty (1994), Chambers (1997), Woost (1997), and Cook and Kothari (2001) have contributed to the development of participatory approaches that aim 'to ensure that people on the margins are prioritised, and to ensure that participation is genuine and equitable, rather than passive, co-opted or restricted to the relatively powerful' (in Mathie and Cunningham 2002, np). It is vital that real decision making power rests with the community. That

real participation is not substituted with consultation, which is usually constrained by an externally imposed agenda.

The fifth and final element identified by Mathie and Cunningham (2002) is fostering civic engagement and they turn to experience gained in building *civil engagement* for theoretical support. This literature (Barber 1984, Edwards 1999, Serageldin 1995, in Mathie and Cunningham 2002) examines civil society's capacity to mediate between 'the power of capital' and government, in order to 'humanize' capitalism. It should build the capacity of marginalised people to participate in decision making and ensure their participation through appropriate governance structures. Strengthening civil society – by increasing the interaction between associations – will also generate further economic opportunities. The authors cite Edwards' (1999) notion of 'building conditions under which caring becomes rational' as a response to free market theory (in Mathie and Cunningham 2002, np). This perspective can help identify 'external circumstances conducive to the application of ABCD' (Mathie and Cunningham 2002, np). The twin aims of civil engagement are to nurture the assets of a community and to enhance advocacy in the external environment. The ABCD approach sits in the centre of the continuum of civil engagement theories (Mathie and Cunningham 2002, np), which Edwards (1999, 162) describes as 'the middle ground where the logic of competition meets, and combines with, the logic of co-operation'.

The authors go on to identify some important questions to consider when applying ABCD in diverse international settings. The first of these challenges is the difficulty of fostering an endogenous approach to facilitate development, without inadvertently creating dependency upon the facilitator. The answer is described as 'leading by stepping back' (Mathie and Cunningham 2002, np). Second, ensuring inclusive participation is always a hurdle. Power differentials can and do exist within communities and between communities and external stakeholders. Mathie and Cunningham (2002, np) see ABCD as appealing to the 'higher motives' of those with power 'to act in the shared interests of the common good' to empower the least empowered within a community. Ultimately, success

depends upon compatibility between the values of ABCD and those of the community. Third, fostering community leadership is crucial to an internally driven process. Again, notions of appropriate leadership are culture and context specific, raising questions about the nature of leadership itself. Fourth, the nature of the enabling environment is important. The level of trust and understanding between the community and its wider environment has a significant influence. Mathie and Cunningham (2002, np) argue that even in a 'hindering environment' ABCD can help generate or identify opportunities. The final challenge identified is 'handing the fluidity of associations' (Mathie and Cunningham 2002, np). ABCD can and will change existing structures and the way they operate, which needs to be understood within a historical context. The authors caution that community development should not lead to institutionalisation and the stifling of change (Mathie and Cunningham 2002, np).

Mathie and Cunningham (2002) identify a series of development initiatives in various culturally diverse settings across the globe that have employed ABCD. However, because ABCD grew out of spontaneous initiatives, they argue that the tag 'ABCD' is not as important as the fundamental principles when considering community development success. The authors caution that the co-option and delivery of ABCD-like strategies by NGOs will lead to it being discredited 'as a self-serving initiative for external agencies' (Mathie and Cunningham 2002, np). As the first principle makes clear, ABCD 'is not done to communities by ABCD experts', it is internally driven by the community itself (Mathie and Cunningham 2002, np).

In this article, Mathie and Cunningham go some distance towards providing theoretical support for ABCD. However, there are places where the attempt falls short. For example, they identify group centred community economic development as the most appropriate model. But this model, with its focus on the provision of services and defining community along socio-economic lines, clearly contradicts the spirit of ABCD as articulated by McKnight in *The Careless Society*. ABCD is attempting to counteract the effects of service provision and to break down class differences (Aigner, Raymond

and Smidt 2002; McKnight 2001). This challenge is directly dealt with in the next section, in *Whole Community Organising*. However, Mathie and Cunningham's (2002, np) choice of appreciative inquiry, despite its 'lack [of] the hallmarks of objective empiricism', indicates they are not totally caught within dominant paradigm assumptions. Their warning against the co-option of ABCD is pertinent in Australia, where NGOs like Mission Australia (2012) are adopting the model. Like most good approaches, practice and reflection has led to improvements in ABCD.

Whole Community Organising

In the scholarly article *Whole Community Organising for the 21st Century*, Stephen Aigner, Victor Raymond and Lois Schmidt (2002) review the most recent evolution of ABCD. *Whole Community Organising* (WCO) emerged from the experience gained through more than a decade of community development practice (Aigner, Raymond and Smidt 2002). The authors demonstrate how the four 'cardinal principles' of WCO address the issues and shortcomings of previous evolutionary frameworks. They go on to provide both empirical and theoretical support for Kretzman and McKnight's approach. This article begins by illustrating that *relatedness* has endured as the heart of community for over a century of scholarship. From Tönnies' (1957) concept of *Gemeinschaft* in 1887 – the traditional community rooted 'in the natural soil of place, family and kin' – to Brint's (2000) contemporary definition based on the 'existential basis of relationship ties', 'community' is essentially about relationships (in Aigner, Raymond and Smidt 2002, 87). Community suggests 'familiarity and safety, mutual concern and support ... even the possibility of being appreciated for one's full personality and contribution' (Aigner, Raymond and Smidt 2002, 87). This is contrasted with Tönnies' *Gesellschaft*, which signifies 'modernity's exchange and commodifying relationships' (in Aigner, Raymond and Smidt 2002, 87). These are the superficial interactions with many individuals for a single function (e.g. the local baker) rather than the deeper relationships formed with fewer people for multiple reasons (social, business, sporting etc) that *Gemeinschaft* encompasses.

A review of several other community development models by scholars such as Christenson (1989), Hanna and Robinson (1994) and Rothman (1995) reveal a range of issues and contradictions (in Aigner, Raymond and Smidt 2002). Some of the shortcomings include the lack of a theoretical foundation, neglecting experience from the civil rights movement and failing to deal directly with power. Aigner, Raymond and Smidt argue that WCO, which builds on the values of ABCD, addresses these shortcomings. The four cardinal principles of WCO are: empowerment; a holistic focus; inclusive participation; and, establishing internal organisational capacity before accessing external resources. John McKnight (2001, np) articulated these principles thus:

First, a powerful, empowered community can address issues on the outside and the inside of ... the community. Second, we must concern ourselves with the whole person, not just one issue that angers people we meet while door knocking. Third, a strong community is a community where everyone gives to the effort. If just a part of the community, say a handful of designated 'leaders' gets involved, the whole community does not prosper. In our communities ... we should look at everyone and say, 'we need you'. Fourth, before reaching out to resources from external sources, a locally led community ... group needs to develop a coherent organization with the capacity to collaborate with external sources.

Whole Community Organizing for the 21st century requires the cooperation and collaboration of everyone; it demands peoples' heroism, their courage, and their love. It means that everyone in the ... community contributes their talents and gifts for themselves and for everyone else. We want to create a situation where everyone belongs and everyone gives their gifts.

These principles have emerged from years of successful practice and they have yielded instrumental results (Aigner, Raymond and Smidt 2002, 93). They alleviate the need for complex frameworks that require adjustment in different situations. Aigner, Raymond and Smidt (2002a, 93) contend that by 'walking the talk', practitioners can surmount the 'dilemmas and contradictions of earlier intervention frameworks'. The inclusive, holistic nature of WCO, with its focus on fostering relationships, leads to positive outcomes.

Empowerment is fundamental to endogenous control. Inclusive participation ensures that marginalised people have a voice in the formation of shared visions and plans, and a role in their implementation (Aigner, Raymond and Smidt 2002). Including and valuing everyone in the process dissolves divisions between the marginalised and elites within communities. The 'responsibility for a

common future' is shared by all (Aigner, Raymond and Smidt 2002, 93). Inclusive participation can address the tendency of previous approaches to reinforce marginalisation, instead building trust between different class and racial groups (Aigner, Raymond and Smidt 2002). Given the broader challenges faced in gaining consensus in resource allocation, Aigner, Raymond and Smidt (2002a, 89) argue communities 'need to take care of themselves' by creating inclusive decision making processes and structures. The holistic concern for 'the whole person' avoids the process becoming issue driven, which, necessarily, focuses on a problem. Building strong horizontal relationships within the community before creating vertical relationships with external entities avoids co-option of the process by outside agencies. This is vital for the empowerment of the community, substantive capacity building and ownership of the development process. These principles not only involve utilising existing relationships but building on them.

The authors argue that two broad theories support WCO: those dealing with community as an *interactional field* and those focusing on the processes of *power* and *domination*. First, successive work by scholars such as Tönnies (1887), Mead (1934) and Wilkinson (1991) has conceptualised 'community' as an *interactional field* within a locality (in Aigner, Raymond and Smidt 2002). This conception holds, despite the way globalisation tends to blur the clearly defined geographical lines that once bounded communities. Wilkinson (1991) argues community fields develop in localities where people meet and interact (in Aigner, Raymond and Smidt 2002). From this perspective, Aigner Raymond and Smidt (2002a, 94) argue social interaction creates 'mutually shared meaning ... [which is the] elemental bond between the self and the other'. Wilkinson (1991) argues that while social fields develop around specific interests (reflecting a 'divisive, narrower set of interactions') they are also encompassed 'into a generalised whole' within the community field (in Aigner, Raymond and Smidt 2002, 94). Within community fields, members and organisations (both informal and formal) pursue interests 'that cut across the specific groups and special interests that form along the lines and barriers of class, race, ethnicity and gender' (Aigner, Raymond and Smidt 2002, 94). Opening lines of communication that transcend differences between interest groups can cultivate

cooperation, leading to sustained community development and change. McKnight's principle of inclusive participation involves the creation of relationships between people with different class, ethnic or racial backgrounds – people who would not normally interact and often hold divergent views (Aigner, Raymond and Smidt 2002).

Second, theories that interrogate the dimension of power within community also support WCO.

Previous theoretical frameworks – from authors such as Gaventa (1980) and Duncan (1999) – designed to address power 'seem to point towards oppositional strategies to fight the reproduction of social inequality' (Aigner, Raymond and Smidt 2002, 95). However, oppositional strategies actually maintain and reinforce social division. To move beyond these limitations, 'communities will need to cooperate and collaborate to break down social [and] ... historical barriers between groups' (Aigner, Raymond and Smidt 2002, 95). The authors turn to theories on *othering* to provide an understanding of the processes that perpetuate inequality (Aigner, Raymond and Smidt 2002). They define *othering* as:

the process whereby a dominant group defines into existence an alleged 'inferior' group, inventing categories and ideas about what characterizes people who belong to the inferior group (Aigner, Raymond and Smidt 2002, 96).

They explain how, over time, the dominant group develops a congruent identity in relation to the *other*. There are sub-types of *othering*. *Oppressive othering* – exemplified by racism or classism – involves the classification of target group differences as 'deficits'. Target group members adopt strategies in response to this oppression, known as *defensive othering*. This can manifest in the desire to join the dominant group and to reject membership of the subordinate group – both tacitly acknowledging the 'legitimacy of the devalued identity' (Aigner, Raymond and Smidt 2002, 96).

Aigner, Raymond and Smidt (2002a, 96) contend that by addressing *othering* 'we may devise civic practices that contradict' it. This process is considered from the perspective of social psychology, in Chapter 4.

The principles of WCO encourage the formation of relationships premised on mutual respect and recognition of each other's strengths. The challenges of globalisation can only be overcome by transcending differences, basing action on shared visions and acting locally. Aigner, Raymond and Smidt (2002a, 95) contend that:

In whole community organizing, the focus on relationships, reciprocal gifts and talents, and inclusive self-interest, contradicts the monolithic perception of the powerful.

Othering can be addressed by healing 'the fault line of "identity politics"', by 'building more authentic reciprocating social relationships across barriers' (Aigner, Raymond and Smidt 2002, 95).

Finally, the authors turn their attention to empirical support for the principles of WCO (Aigner, Raymond and Smidt 2002). They review several case studies, focusing on examples that align with the concept of community as an interactional field and reflect similar goals. A study by Sharp (2001) identified the level of social infrastructure as a key determinant in successful, representative community action (in Aigner, Raymond and Smidt 2002, 98). Sharp's criteria incorporate inclusion, capacity development and overcoming social barriers, all of which resonate with WCO principles.

Aigner, Raymond and Smidt give two other examples as evidence that substantive resident participation and governance leads to 'powerful, empowered communities'. The first was a study conducted by the North Central Regional Center for Rural Development (Aigner, Raymond and Smidt 2002). The Center analysed an initiative designed to reduce poverty in persistently poor US rural communities over a ten-year period. Of the 33 enterprise communities and empowerment zones created, Aigner, Raymond and Smidt (2002a, 99) classified eleven sites – where residents were in charge – as examples of their *empowerment paradigm*. The remaining 22 sites were classified as examples of the *old paradigm*. In these latter sites, 'elected officials and hand selected representatives of organizations and institutions' (some even non-resident) held power (Aigner, Raymond and Smidt 2002, 99). Aigner, Flora and Hernandez (2001) found that communities that began by using 'personal relationships and face-to-face communication channels' before organising

into interest based subgroups, were more likely to create governance structures with residents holding the majority (in Aigner, Raymond and Smidt 2002, 99). The range of projects included raising capital, building infrastructure, improving health, education and human services, and protecting natural resources. The communities fitting the *empowerment paradigm* leveraged more capital from more sources than the *old paradigm* communities (Aigner, Raymond and Smidt 2002). This supports McKnight's fourth principle to build internal relationships before seeking external funding. The eleven *empowerment paradigm* sites, representing one-third of the total, attracted almost two-thirds of the total funding for capacity building projects and brokered 'more partnerships with funding sources to support these community capacity-enhancing projects' (Aigner, Raymond and Smidt 2002, 99). These eleven sites also strongly favoured self-organised community and economic development projects, supporting McKnight's principles of empowerment and inclusive participation.

The second example the authors give as empirical evidence is a not-for-profit organisation and a member of the ABCD Neighbourhood Circle: Beyond Welfare. Aigner, Raymond and Smidt cite the Beyond Welfare project as a 'well-documented ... case of intentionally facilitated transformative relationships and the construction of a community field' (2002, 101). Beyond Welfare's project aims to 'end poverty' in Story County, Iowa, by 2020 (Aigner, Raymond and Smidt 2002, 100). It focuses on the creation of partnerships between low-income individuals and motivated people with adequate income. The aim is to end social isolation, helping people break free of poverty. The process begins with 'listening pairs' who use a series of questions to identify stereotypical attitudes, their sources, triggers and what reinforces them (Aigner, Raymond and Smidt 2002, 100). They then work on counteractive strategies and coping mechanisms. They match partners according to their gifts, interests and talents. Partners work together to plan networking strategies to access resources and housing. An ongoing component of the program is weekly social meetings, followed by sessions in capacity building, realistic goal attainment, advocacy and relationship maintenance. The project boasts an impressive 622 per cent annual return on investment, calculated as increased income and

decreased reliance on welfare provision (Aigner, Raymond and Smidt 2002, 101). Aigner, Raymond and Smidt (2002, 101) explain that over half of the participants sustain progress towards independence, with the remainder only differing in:

respect to [the] number of Beyond Welfare's relationship features they use to achieve self-sufficiency. Previous years on Welfare, work history, level of education, age at first birth, number of children under five, or a history of substance abuse did not account for a person's ability to move beyond Welfare towards independence.

Beyond Welfare also formed allegiances to lobby successfully for germane decisions at the legislative level, demonstrating the ability to influence decision makers beyond the community (Aigner, Raymond and Smidt 2002).

Aigner, Raymond and Smidt (2002, 91) include broad social revolutionary movements – like Solidarity in Poland and Ghandi in India – within the scope of their analysis of empowerment in community development. This shatters the limitations of earlier definitions of community development. For example, Rothman (1995) and Christenson (1989) exclude such broad 'Civil Rights Movements' from their reviews of community practice literature (in Aigner, Raymond and Smidt 2002). This goes beyond the notion of capacity development as a tool to let communities take care of themselves. It also moves the authority to define the boundaries of community from external players to internal members, surely the first step towards developing true empowerment.

Aigner, Raymond and Smidt (2002, 102) conclude that within the current context of globalisation, previous frameworks have not only failed but 'are fraught with dilemmas and contradictions that reinforce existing differences and reproduce social inequality'. In consequence, they endorse the '[p]ractices of asset-based community development in accord with the cardinal principles of whole community organizing' (2002, 102). Aigner, Raymond and Smidt (2002, 101) reiterate that real change and empowerment at the community level involves linking an understanding of:

the networks of power structures to the ... [cultivation] of community fields to [create] strategies that foster authentic, reciprocating respectful social relationships, i.e. horizontal ties, across historical chasms of racial, class based differences, distrust and narrow exclusive interests.

They have marshalled both theoretical and empirical evidence to support an approach capable of mending old cleavages to facilitate collective action and empowerment.

Summary: WCO

The four cardinal principles of WCO build upon and extend the three principles of ABCD. The experience gained in working with communities has led McKnight to develop these 'cardinal principles' designed to overcome some of the most common mistakes made in rolling out an asset based community development strategy. Two of the major challenges appear to be devolving power and control to the community, and maintaining a positive focus: not letting issues and problems obscure people's aspirations. Aigner, Raymond and Smidt (2002) deal with the definition of community, and from that derive one of the theoretical underpinnings – community as an interactional field – reflecting the primacy of relationships. The second theory domain – the exercise of power – fits with the first cardinal principle, empowerment. The concept of *othering* provides insight into the creation of inequity and, more importantly, how it can be rectified. This involves building empathy and understanding *between* social and ethnic divisions. Thus, Aigner, Raymond and Smidt (2002) manage a far better fit between the approach and the proposed theory than Mathie and Cunningham (2002). This is primarily because Aigner, Raymond and Smidt do not attempt to marry new paradigm thinking to old paradigm theory. They also move beyond the traditional boundaries of community development, including powerful grassroots movements in their analysis. Both articles relapse into problem-focus discourse at times, a tendency that is almost impossible to avoid, given the dominance of this focus in western society. Despite this, the arguments for abandoning this negative focus are so persuasive, it provides one of the fundamental *raison d'être*s for this thesis.

The Australian Indigenous Context

While the main argument in this thesis applies to western nations in general, it focuses on Australian public policy in particular. The case study (undertaken in Part II) analyses the Commonwealth

Government's intervention into Indigenous communities in the Northern Territory. Therefore, consideration of this context, from a community development perspective, is warranted. The literature suggests the application of asset based approaches in Australia is increasing.⁹ The ABCD and WCO approach offer an alternative perspective on the Australian Indigenous context. As previously argued, earlier community development frameworks led to oppositional strategies (Aigner, Raymond and Smidt 2002; Kretzman and McKnight 1993; Mathie and Cunningham 2002). This experience particularly resonates in the Australian context, where Indigenous activism adopted identity politics and oppositional tactics in the 1970s (Attwood 2003). These strategies maintain the focus on difference and disadvantage, leading to their perpetuation. This negative focus entrenches victimhood, with the discourse of dispossession and historical inequity as the justification, creating a feeling of entitlement without reciprocity (Pearson 2009). As Mathie and Cunningham (2002) point out, that which you concentrate on will naturally grow.

The Indigenous situation in Australia creates a series of challenges for community development. These include the wide diversity of culture and experience, which can have implications for defining the boundaries of Aboriginal communities. The idea of 'Aboriginal' being a homogenous identity, with perhaps only Torres Strait Islanders as markedly different, is a fallacy. At the time of colonisation there were over 250 distinct language groups within Australia, all with discrete cultural identities (McConvell and Thieberger 2005, 78). The concept of pan Aboriginality emerged from Anglo-Australian ignorance and as a product of *othering* (Attwood 1989). During the 1960-70s, Aboriginal activists adopted it as a form of reactive solidarity (Attwood 2003). But at the community level, cultural diversity matters (Bell 1983; Carney 2007c; Ferguson 2006). Unfortunately, the

⁹ For examples see:

Ennis, G. and West, D. 2010, 'Exploring the Potential of Social Network Analysis in Asset-Based Community Development Practice and Research' *Australian Social Work*, Vol. 63 No. 4: 404-17.

Mission Australia, 2012, *Working with Aboriginal and Torres Strait Islanders*, retrieved, 31/03/12 from www.missionaustralia.com.au/community-services/aboriginal-torres-strait-island.

Stuart, G., Brooks, D. and Stephens, C. 2009, 'It's Nearly Time to Go: Asset-Based Community Development with Transient Caravan Park Communities' *Parity*, Vol. 22 No. 2: 27-8.

McCall, T. 2003. 'Institutional Design for Community Economic Development Models: Issues of Opportunity and Capacity.' *Community Development Journal*, Vol.38 No. 2: 96-108.

assumption of homogeneity pervades much of Indigenous public policy within Australia. This can lead to a predominantly Indigenous settlement being considered a 'community' when this is not the case. While there are small insular communities with a shared identity, often the reality is an uncomfortable combination of different Aboriginal groups who traditionally would have had little or no contact.¹⁰ These places are a hangover from the era of missions and reserves, leaving a legacy of dependency and often, internal politics, tension and conflict. While most Indigenous Australians are integrated within mainstream society, many discrete Indigenous communities face crushing poverty, and drug and alcohol addiction, leading to social breakdown (Pearson 2009; Sutton 2005).

Poverty, substance addiction and low capacity are all intimately enmeshed in the anomie witnessed in many Indigenous communities in Australia. Collectively this social breakdown is demonstrated through a range of socio-economic indicators including high rates of suicide and detention, low income and employment and poor health status (AIHW2008). Noel Pearson (2009), discussing communities in Cape York (a situation similar to that experienced in the Northern Territory, the focus of the case study) makes an argument very similar to McKnight's (1995) concept of 'clientism'. He argues welfare payments create dependency. Control rests in the hands of professionals or government agencies and the assistance they provide excludes recipients from the 'real' economy. This assistance smothers self-motivation and perpetuates a loss of responsibility that is disempowering. As Pearson (2009, 153) argues:

The worst consequence of this lack of meaning and purpose is that it has compounded the effects of dispossession and trauma by making us susceptible to an epidemic of grog and drug abuse.

This despair is now inter-generational. Pearson argues that alcohol abuse is not merely a symptom; it is a contributing factor itself. Welfare and substance abuse reinforce each other and 'undermine all efforts towards social recovery' (Pearson 2009, 153).

¹⁰ For example, the communities of Warrabri (Bell 1983); Wadeye (Ferguson 2006); and, Maningrida (Carney 2007), all in the Northern Territory.

William Bostock (2000) considers substance abuse a form of self-medication. He offers an understanding of such intractable social dysfunction by applying depression – a concept usually reserved for the individual – to the collective. The notion of ‘collective depression’ is recognisable:

when a large proportion of the members of a society are ... displaying signs of inadequacy, despondency, lack of vitality, pessimism, sadness and dependency upon substance ingestion (Bostock 2000, 2).

Bostock (2000, 1) argues that social breakdown is a ‘case of learned helplessness ... the hallmark of depression, [which] results when punishment is received without being contingent upon the actions of the individual’. Conditions such as colonisation, slavery, prolonged poverty and other oppressive regimes (all experienced by Australia’s Indigenous peoples) can create collective depression, which is transmitted inter-generationally. Bostock (2000) argues that the treatment of the individual is not applicable to the collective but suggests leadership as a solution. This mantle is to be taken up by an unaffected member of the group, someone who can exercise agency by standing outside and demonstrating that situational factors can be changed: that they are not helpless. Gandhi is used as an example, as Mandela and the South African experience. The South African *Truth and Reconciliation Commission* aimed to make conscious what had been unconscious. And to formulate an inclusive alternative based on ‘ubuntu’ – the notion of common humanity (Bostock 2000, 4).

In a similar vein, Janet Hunt (2005) describes social breakdown in Indigenous communities as the effects of post traumatic stress disorder. Hunt (2005, 14) identifies symptoms like ‘mistrust, fear ... depression, apathy, aggression, and violent behaviour’, which all erode people’s capacities. Most Indigenous community organisations in Australia rely on public funding, making them accountable to government agencies (Hunt 2005). Pearson (2009) has also made the point that many Indigenous communities are almost entirely dependent on Welfare and other government programs for all income and services. This has two primary implications for community development in Indigenous Australia: the primary focus of most capacity development initiatives and the centrality of public policy to the ‘enabling environment’. First, western management processes shape the capacities that Indigenous organisations need to meet accountability requirements (Hunt 2005). This in turn focuses

community development initiatives on externally defined capacity development, due to generally low Indigenous education outcomes. But capacity development aimed at meeting external accounting requirements are limited to 'self-management', falling short of Indigenous aspirations for self-determination. These positions echo traditional and transformative community development approaches respectively, and reveal public policy as a potential obstacle to progressive community development strategies. Privileging western management approaches also has cross-cultural implications. Hunt (2005) identifies several instances where different assumptions held by community members and community developers create a cultural mismatch of expectations. These tensions can be due to conflicting cultural norms, for example, external requirements for literacy can favour youth while internal norms for authority can require maturity. The low education levels of Indigenous Australians means that 'outside' facilitation will usually be required. This focus on external requirements makes establishing and maintaining community control a major challenge in the Australian Indigenous context.

Experience in other colonial settler societies provides insight for the Australian cross-cultural context. Robyn Munford and Wheturangi Walsh-Tapiata, writing on the 'bi-cultural' context of New Zealand, argue that understanding local social and cultural structures is fundamental to success in community development (Munford and Walsh-Tapiata 2006). The facilitator needs to acknowledge the customs and interconnectedness of the community they are dealing with. This requires the foregrounding of local knowledge (Munford and Walsh-Tapiata 2006), a principle that fits well with transformative approaches (Aigner, Raymond and Smidt 2002; Mathie and Cunningham 2002). The New Zealand experience indicates that by doing so, local knowledge can emerge as a foundation for change (Munford and Walsh-Tapiata 2006). By valuing the knowledge each group brings to the change process, story-telling (the central form of knowledge transmission in oral cultures) can be used to share past successes and help shape future aspirations and goals.

In Australia, culture and cultural autonomy has been used as a defence of power imbalances within communities, implicitly masking these imbalances as 'natural'. Understandings of 'traditional' power relations were skewed by colonial and later, anthropological prejudices (Bloodworth 2006) and are, therefore, suspect. This discussion is taken further in Chapter 5. Munford and Walsh-Tapiata consider that identifying and challenging existing power relations is a key function of the community development process. Outside facilitators also need to be aware of their own subjectivity and how it is shaped by their culture and experience (Munford and Walsh-Tapiata 2006). Understanding the local context requires *locating oneself* within the community. This means reflecting upon how our personal experience shapes our perception and worldview. This recognises that personal experience is intimately connected to public issues. Examining the culture of the dominant society is a key requirement to building relationships across cultures. This form of reflection also creates the possibility of transforming negatives into positives.

Munford and Walsh-Tapiata link community development to aspirations of self-determination (2006). They identify three key principles in their definition of self-determination. The first is recognising diversity (of lived realities), the second is unity (belonging, inclusion and a common destiny) and the third is autonomy and control. These principles require the active and inclusive participation of all: of ensuring 'one's voice is heard' (Munford and Walsh-Tapiata 2006). This form of substantive participation is extended and strengthened by the fostering of shared knowledge. It functions to redress inequality and exclusion and encompasses relatedness. These principles of indigenous self-determination mesh well with those of ABCD and WCO.

Conclusion

This chapter concentrated on the intermediate conceptual level of collective activity. It demonstrated how a range of factors at the global, national and local level diminish communities' capacity to care for their own. Asset based community development and whole community organising strive to redress the damage wrought in communities by issues beyond community

control. These transformative approaches illustrate that positive change emanates from a focus on strengths and assets. They advocate a bottom-up process which allows for cultural difference because the process is internally driven, giving scope for self determination for Indigenous peoples. They recognise the importance of strong relationships to building strong, self sufficient communities. And they offer strategies to heal the fault lines of class and 'identity politics' (Aigner, Raymond and Smidt 2002, 95) and build relationships across class and ethnic barriers.

This explanation of community breakdown (and the approaches advocated to empower communities to heal themselves) has three important consequences for public policy. First, public policy forms a key part of the enabling environment in which community development operates, so one has to ask how long grassroots-level strategies will succeed without change also occurring at the wider level. Second, the insight from transformative community development should inform policy decisions. It provides a blueprint for the types of strategies that would be appropriate for multicultural contexts such as Australia, particularly Indigenous communities struggling with intergenerational social dysfunction. It lends itself to cross-cultural contexts because decisions emanate from within, offering the opportunity for self determination. Bottom-up approaches foster lasting change, while the top-down approaches favoured by government disempower people and communities, entrenching dependency. Transformative community development values relationships, a primary motivating force in many close-knit Indigenous communities. It fosters these assets to create hope, mobilise potential and to build capacity. Transformative community development focuses on assets, on strengths, on positives. It recognises that concentrating on negatives – on deficits – keeps people focused on what they don't have, on what they can't do, leaving them despondent and apathetic. This insight is employed in the case study undertaken in the second half of this thesis. Third, and most importantly, it raises serious questions about the deficit-based (or problem solving) model that pervades government and public policy processes. If the understanding community development gives is valid – that you cannot solve a problem, only outgrow it – what are the implication for the ability of public policy to 'solve' the 'problems' it

identifies? This brings us to the next dialectical step: an example of a normative policy process that stands in stark contrast to transformative community development.

The Policy Paradigm in Australia

The endeavour to build an alternative theoretical framework, one which is not constrained by the dominant paradigm, requires a point of reference within that paradigm. This chapter turns to public policy, to consider the theories that inform policy and set normative standards on how it should be conceived, conducted and analysed. Understandably, this is an extremely broad area, with limited space in this thesis to deal with its breadth and complexities. So the hard decisions about what to include and what to exclude deserve some explanation. In the first instance, my experience as a student – both at under-graduate and honours level – leads me to the policy cycle as a model that both describes how public policy should work (normative) and that offers an analytical tool to measure policy success. Bridgman and Davis's (2004) *Australian Policy Cycle* is a well respected example of this model, designed specifically for the Australian context and is 'the leading Australian policy text' (Colebatch 2005, 17) in many Australian universities. It comes from the stream of thought that seeks to reduce the influence of the personal in the public sphere, discussed in the introduction. In this sense, it is directly relevant to the focus of this thesis – how individual (and group) behaviour shapes public decision making. While Bridgman and Davis (2004) don't directly discuss the theoretical underpinnings, its antecedent – the work of Lasswell – was designed to reduce that influence (Parsons 1995). I have endeavoured to treat the concept impartially, and I have employed this model in the case study (Part II) to demonstrate its utility and limitations.

The policy cycle is a process model that most scholars of public policy would be familiar with. It is also a model that most scholars from other disciplines would find reasonable. Indeed, disciplines such as management would recognise many of the steps described (Robbins *et al* 2000). Hal Colebatch (2006b, 309) maintains that the description of policy as a series of activities 'is compatible with the Western cultural account'. To this extent, it reflects dominant paradigm thinking about rational processes and objective decision making, representing, as Sophia Everett (2003, 65) argues,

‘a revival of rationalism’. Thus, it serves the purpose of demonstrating the *status quo* in government processes. This current ‘revival of rationalism’ is not without its critics. Reviews of the policy cycle are discussed later in this chapter. A criticism of the broader trend is dealt with in some depth in the next dialectic step, in Chapter 3. The intention is not simply to demonstrate the limitations of this particular model or the stream of thought it comes from, but to question the broadly held assumptions upon which they are based. This chapter deals with the intermediate conceptual level of collective activity, while continuing to recognise the interaction between it and the fundamental and meta-levels.

The previous chapter on transformative community development raised three significant issues for public policy. First, while community development operates at the grassroots level, it works within a broader context and public policy is a primary aspect of that context: the ‘enabling environment’. Second, the lessons community development offers on positive change, especially in troubled communities, should inform social policy. Third, the primary focus of this thesis is the broader argument that, by demonstrating that focusing on problems makes them grow, community development insight creates serious implications for public policy, which uses a problem solving approach. This chapter demonstrates this ‘problem-focus’ in government by briefly reviewing the theory that informs policy processes in Australia, going on to describe the policy cycle in some depth and finally, discussing some of the critiques of this model.

Policy Frameworks

Contemporary policy analysis has emerged out of the tradition of the natural sciences, embedding notions of quantitative measurement and a focus on problems and the identification of their solutions (Parsons 1995). Howlett and Ramesh (1995) argue the complex nature of policy processes create ‘analytical difficulties’ that have generated a range of theoretical ‘solutions’. This complexity generates tension between the tendency to simplify issues and the recognised need for ‘a more holistic approach’ (Howlett and Ramesh 1995, 8). The former excludes all but the most relevant

explanations or causes, while the latter includes all 'possible variables'. Howlett and Ramesh (1995) identify four broad 'traditions' within the policy analysis literature. While these differ in focus, ranging from the 'political regime', 'political determinants', 'policy content' to 'policy outcomes', each has been criticised for neglecting important factors. The choice of focus depends on the purpose of the analysis and the role of the analyst. Howlett and Ramesh (1995, 10-11) identify 'differing degrees of neutrality and self-interest' in policy analysis. Academics are considered to be disinterested, employing theoretical, conceptual and methodological tools to scrutinise a wide range of factors. This claim will be examined in Chapter 5. At the other end of the scale, government and interest group analysts have a vested interest in demonstrating a policy's success or failure, which leads to a focus on outcomes. The policy cycle is advocated for use by professionals and academics. Dunn (1988) describes the policy cycle as an analytical framework – 'an applied problem solving model' – designed to 'simplify' analysis in order to 'synthesize the diverse literatures on, and approaches to, the subject' (in Howlett and Ramesh 1995, 11).

Parsons (1995, 35) identifies a range of analytical frameworks which draw on different disciplines including economics (e.g. welfare economics and public choice), sociology, philosophy and psychology (e.g. information processing). The policy cycle employs a range of theoretical frameworks in its analysis stage but like most of the policy analysis that has prevailed since the 1960s, the model evolved from foundational work by Harold Lasswell (1956), Herbert Simon (1957) and David Easton (1953) (in Parsons 1995). Lasswell was the 'pre-eminent moving spirit behind the growth of a policy approach' (Parsons 1995, 21). He considered the role of the policy professional as a mediator of the inevitable conflict within politics, creating policy science that was contextual, multi-method and problem oriented. In 1956, Lasswell published a seven-stage policy process that was the forerunner of the modern policy cycle (Parsons 1995). Merelman (1981) noted the obvious parallel between the role of the policy scientist and the psychoanalyst within Lasswell's work (in Parsons 1995). Simon (1957), whose influence on policy was 'far-reaching', had more faith in the rationality of decision makers than Lasswell (in Parsons 1995). However, he did consider this rationality was 'bounded',

formulating a sequence of rational stages to improve the decision making process. Although outside the discipline of policy, Easton's (1953) work has been important. He conceptualised 'the relationship between policy-making, policy outputs and its wider 'environment'' as a political 'system' (Parsons 1995, 24). The influence of this thinking is clear in the policy cycle model under review. The concept of a 'cycle' that starts afresh, thereby embracing the continuity of policy development, arose from Brewer's work during the 1970s (Howlett and Ramesh 1995). However, not all theorists support the process model. Charles Lindblom (1959) offered 'incrementalism' as an alternative to the rational processes involving steps or stages, as advocated by Lasswell, Simon and Easton (in Parsons 1995). Parsons (1995, 22) argues:

[his] article on the "science of muddling through", published in 1959 ... remains as perhaps the single most important contribution to the formation of a theory of the policy making process.

Lindblom was highly critical of process model theorists' claims to rationality. This critique on rationality is taken further at the end of this chapter, and analysed in depth in Chapter 3.

The Australian Policy Cycle

Several theorists have developed variations of the policy cycle, using different labels and numbers of stages (Parsons 1995). This thesis will examine the 'Australian policy cycle' developed by Peter

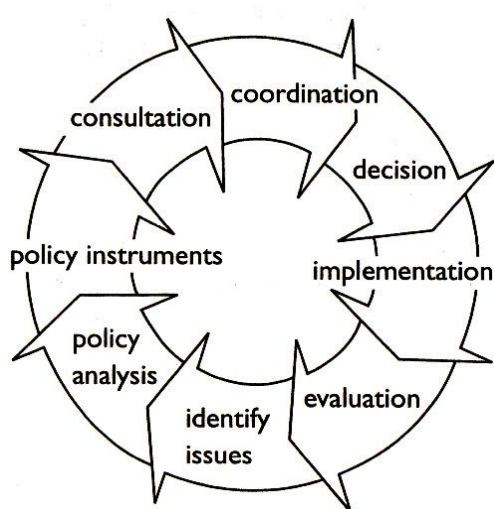


Figure 1. The Australian Policy Cycle (2004, 150)

Bridgman and Glyn Davis in *The Australian Policy Handbook, 2nd Edition* (2004). Now in its fourth edition, the *Handbook* has been described as an 'authoritative guide ... of great value to students, teachers and practitioners'¹¹. The authors are respected within the field of public policy in Australia and between them offer a balance of practical and academic experience. Bridgman and Davis (2004) argue that their version of

¹¹ Professor Allan Fels, AO, Dean, Australia and New Zealand School of Government (ANZSOG) – comment on the 4th edition.

the policy cycle has a range of strengths. These include: viewing government as a process rather than a static institution; the division of complex problems into manageable steps; the synthesis of existing knowledge; and, the incorporation of both descriptive and prescriptive research tools (Bridgman and Davis 2004). The cycle prescribes a sequence of steps in the development of public policy. As an analytical tool, it provides a framework for the disaggregation of complex issues and the policy responses employed to address them. The following section expands upon the eight steps of the Australian policy cycle: *issue identification, policy analysis, policy instruments, consultation, coordination, decision making, implementation and evaluation* (Bridgman and Davis 2004, 150). This provides an analytical framework (from the dominant paradigm) to apply to the case study.

Identifying Issues

The first step in the policy cycle examines how issues gain official government attention and how these ‘problems’ are defined. While many fail to gain recognition, several factors can increase the likelihood of an issue getting on the agenda. Bridgman and Davis (2004, 37) explain: ‘External drivers include ... economic forces ... media attention, opinion polls, legal shifts ... international relations ... [and] demographic shifts’. Internal government drivers include the policy makers who monitor emerging local issues, ongoing problems or policy developments in other jurisdictions (or on the international stage). Regular government processes – reviews, audits – and ‘budget overruns’ or ‘benchmark failures’ also influence the agenda (Bridgman and Davis 2004). Generally, to be included on the agenda, an issue must meet four simple conditions: agreement that the problem exists; the reasonable prospect of a solution; it must be an appropriate use of official funding; and, the governing party should consider it their responsibility. Bridgman and Davis (2004, 40) argue:

Most issues emerge through ... a mixture of political process, bureaucratic convenience and media enthusiasm ... [but the] agenda can be expanded through ... [a series of processes] and a willingness to look beyond the easy subjects.

The second phase in *issue identification* is problem definition. This stage is pivotal to the case study analysis in Part II of this thesis. Bridgman and Davis cite Simon (1973, 187), who argues that ‘much problem solving effort is directed at structuring problems, and only a fraction of it at solving

problems once they are structured' (2004, 42). Aboriginal disadvantage is a clear example of an 'ill-structured problem', a social issue that can be explained in so many different ways that there is little consensus on the possible solution. If policy is to address them, 'such problems must be tightly defined so they can be analysed' (Bridgman and Davis 2004, 42). This entails breaking them down into narrow, well-structured problems, thereby solving the larger issue one piece at a time.

Bridgman and Davis (2004, 43) argue:

To define a problem is to shape the options for a solution. How we perceive the problem will influence powerfully the range of potential policy solutions.

However, not all problems are amenable to a solution. Rittel and Webber (1973) describe issues that cannot be solved, due to polarised interests and historical factors, as 'wicked problems' (in Bridgman and Davis 2004, 43). Aboriginal disadvantage has been described in this way; the complexity and conflicting interests involved make a solution unlikely (Hunter 2007). One strategy with 'wicked problems' is to ignore them. This is described as non-decision making by Bachrach and Baratz (1963, 641), who propose that:

non-decisions occur 'when the dominant values, the accepted rules of the game, the existing power relations among groups, and the instruments of force, singly or in combination, effectively prevent certain grievances from developing into full-fledged issues which call for decisions' (in Bridgman and Davis 2004, 44).

Non-decisions are considered legitimate responses to some issues but Bridgman and Davis concede they are an exercise of power. As they point out, '[p]ublic problems ... are mental constructs, abstractions from reality shaped by our values, perceptions and interests ... imprecise and subjective [in] nature' (Bridgman and Davis 2004, 45).

Policy Analysis

The second stage in the policy cycle is *policy analysis*. The policy analysis method is based on the scientific ideal of problem solving: the *rational comprehensive model*. However, Bridgman and Davis (2004, 47) warn that 'rationality is an unusual thing in the complex, quasi-political world of public policy'. They explain that the prerequisites for rational decision making – agreement on objectives and the means of obtaining them – are rare in public policy. In place of a rational decision making

model, the authors propose a 'simplified model' of five sequential steps. Bridgman and Davis (2004, 48) argue this model 'forces policy makers to work systematically and to provide some justification for favoured options'. The five steps of policy analysis proposed are:

1. formulate the problem
2. set out objectives and goals
3. identify decision parameters
4. search for alternatives
5. propose a solution or options (Bridgman and Davis 2004, 49).

This is a cyclical approach that responds to factors such as ministerial opinion and changing circumstances by re-examining policy objectives or decision making parameters. First, the problem *should* be defined at this stage; however, this is often influenced by the way an issue is originally discussed. Also, the department/s responsible will tend to frame issues in ways that ensure their ownership of the policy. Second, the goals and objectives should be established, significantly influencing the ultimate policy. Most solutions are compromises between 'ambiguous or conflicting objectives' but Bridgman and Davis (2004, 51) point out the 'ethical' responsibility upon analysts to provide unbiased advice. Third, once objectives have been set, the other decision parameters – available resources, timeframes and the 'relative priority' of the problem – need to be determined. Decision parameters establish priorities, possible policies and the criteria for implementation and evaluation. Clarifying constraints can indicate appropriate responses, for example, a minister's lack of interest may result in 'minor modifications' to an existing program. However, if there are constraints on information, which make the causes and costs uncertain, or if the problem cannot be divided into convenient parts, the analyst may be facing a "'wicked problem" likely to defy policy intervention' (Bridgman and Davis 2004, 52). Fourth, in the search for alternatives, research is used to narrow the broad range of options. Bridgman and Davis warn '[t]his judgement is inevitably subjective, and so requires supporting argument and evidence' (2004, 53). Where appropriate, modeling is used to predict the likely outcome of different options. The final step in policy analysis is to recommend one or more solutions. Sometimes decision makers need to see the options to clarify objectives, which may initiate another cycle of policy analysis.

The wide range of issues covered by policy analysis demands a wide range of expertise, often involving teamwork: 'This collegiate approach exposes assumptions to scrutiny and tests them' (Bridgman and Davis 2004, 54). The validity of this assertion is examined in Chapters 4 and 5. The analyst's toolkit comprises four major analytical frameworks: economic, social, environmental and legal. Economic frameworks currently dominate contemporary public policy analysis and the authors review three models: cost-benefit, cost-effective and opportunity costs analysis. Cost-benefit measures the efficiency of different policy instruments. However, it fails to consider other criteria, such as equity and justice. And despite complex financial modeling, it relies on 'subjective judgements' of the value of expected future benefits (Bridgman and Davis 2004). Cost-effective analysis estimates the relative rate of return on initial expenditure of policy alternatives that might be difficult to compare by other means. However, the problem of estimating benefits and anticipating costs still exists. Finally, opportunity costs are the possibilities forgone when a piece of the resource 'pie' is spent on one option instead of another. These are modeled on the 'best alternative' to be relinquished. Bridgman and Davis (2004, 56) concede this means 'there is subjectivity hidden in the apparently technical certainty of opportunity cost measurement'.

The choice of model inevitably shapes the choice of policy instrument. Some Australian initiatives shaped by economic analysis include the National Competition Policy (opening government monopoly to competition); competitive neutrality and commercialisation (treating government entities the same as private sector entities); and, competitive service delivery (competitive contracts for private and government agencies providing services, especially in social policy). Besides these economic models, the indirect outcomes of policy can also be ascertained through an examination of the market. This can focus on supply and demand, providers and consumers, and the incentives motivating them. However, Bridgman and Davis (2004, 59) warn 'there are great dangers in analysing a problem solely in economic terms' before going on to review 'social, environmental, legal and political' frameworks.

First, a social analytical framework encompasses factors 'impossible to accommodate in the economic framework' (Bridgman and Davis 2004, 59). Particularly the policy 'consequences' for 'specific sectors' such as women, Indigenous Australians and the poor. The aim is to avoid 'unintended impacts' on these sectors, even when not directly targeted by the policy. Social analysis relies on the 'social justice principles' of individual rights, equity, social participation and access to social services. Second, an environmental framework employs an environmental impact study to evaluate the likely 'consequences for the environment, and for communities' of proposed policy or development (Bridgman and Davis 2004, 60). The analysis should also consider control of the various types of pollution and the maintenance of biodiversity, ecological sustainability and environmental quality. Environmental policy increasingly involves natural resource management. Third, the legal analytical framework stems from the traditional power of the parliament to enact laws. Bridgman and Davis (2004, 61) argue that Australian governments are also 'subject to the rule of law', which serves to limit their powers under the constitution or by general law pertaining to different jurisdictions. They propose that analysts should ensure that policy options conform to legal requirements by considering the implications for human rights, legislative principles and accountability, to name a few (Bridgman and Davis 2004). They also argue that general principles of democracy, justice, social reform and professional service should guide legal policy analysis. Finally, political analysis is not the responsibility of the policy analyst but good policy advice is sensitive to political imperatives. Bridgman and Davis (2004, 65) admit, '[s]ometimes political exigencies direct that the starting point is a solution, dictated by the desire to act in a particular area...'

While the authors base their method of policy analysis on the rational comprehensive model, they also concede its shortcomings. As Lindbolm's incrementalism proposes, policy strives for temporary improvement rather than lasting solutions (in Parsons 1995, 22). Time and resources are limited so analysis often reverts to 'successive limited comparisons' rather than beginning at 'first principles'. Bridgman and Davis (2004, 63) cite Lindblom's proposal of *agreement* as an alternative 'method for testing policy options'. Consensus among interest groups and policy makers is the hallmark of

successful policy. However, this view is not without its critics (Bridgman and Davis 2004). Bridgman and Davis (2004, 66) conclude that good policy analysis is a paradoxical combination of subjective judgement and objective ethics.

Policy Instruments

Policy instruments are the 'means' to convert policy ideas into practical applications. The authors warn against using policy instruments to define problems. As Bridgman and Davis (2004, 75) point out, '[i]f the only tool you have is a hammer, soon every problem begins to look like a nail'. This highlights the importance of keeping objectives separate from instruments during analysis. The range of available policy instruments vary across jurisdictions owing to the different powers and funding streams open to state and Commonwealth governments within the federal system. Australia has followed the international (western) trend away from more coercive (and expensive) policy instruments by 'strengthening ... parliamentary committee systems, and parliamentary scrutiny of legislation committees' (Bridgman and Davis 2004, 68). There are a multitude of policy instruments, for example, Howlett and Ramesh (1995, 81) identify 64 different economic instruments. They propose a typology of instruments based on the extent of government intervention, ranging from 'voluntary' to 'compulsory'. Bridgman and Davis (2004, 70) then draw on Hood to 'identify four common types of policy instruments used in Australia':

- *Advocacy* uses education and persuasion of the populace or 'self-regulation' by various sectors;
- *Monetary* policy is employed to stimulate the economy, raise revenue, shape individual behaviour through fiscal incentives (or disincentives) and promote development through infrastructure expenditure;
- Policy through government *action* includes the provision of services and programs; and,
- *Law* is 'the final guarantee that policy intent can be translated into action' (Bridgman and Davis 2004, 73). As a policy instrument, law can facilitate implementation, shape individual

behaviour through coercion, and create and govern institutions. This includes regulations, by-laws and ordinances that are subsidiary to legislation.

The most suitable instrument will be appropriate, efficient, effective, equitable and workable.

However, there are limitations to what policy instruments can achieve. Adequate money and authority is required, and no instrument can address a 'wicked problem'. Bridgman and Davis (2004, 75) argue that, like other steps in the cycle, selection of the best policy instrument for a particular situation requires 'judgment as well as science'.

Consultation

The organisation for economic co-operation and development (OECD) argues consultation 'is supported by strong and fundamental values' and has 'powerful appeal within modern societies' (1994 in Bridgman and Davis 2004, 84). Citizen participation in the Australian democratic system has generally been limited to the electoral franchise. However, despite the difficulties, consultation with non-government interests has expanded. Bridgman and Davis (2004, 89) argue that '[c]onsultation is essential [to ensure] ... legitimate and workable solutions to many problems'. Consultation serves a range of purposes, including: giving structure to the debate; lending legitimacy to a decision; fulfilling legal or accountability requirements; and, testing public opinion. Consultation can also prove politically astute. The drawbacks of consulting include costs, both financial and temporal, and 'the risk of debate [being] dominated by ... unrepresentative voices' (Bridgman and Davis 2004, 76). The latter highlights the challenges to conducting fair consultation. It is difficult to ensure all interested parties have a voice. Competing interests can wield different levels of influence because, as Bridgman and Davis point out '[a]ccess to the consultation process and capacity to state a case are seldom distributed evenly' (2004, 77). The decision on whether (and when) to consult 'is as much political judgement as a procedural issue' (Bridgman and Davis 2004, 77). Consultation can take place throughout the policy cycle. However, the majority of consultation occurs during the middle of the process, between the 'more intensely internalised' stages, after the problem has been defined,

instruments have been identified and before the decision making stage (Bridgman and Davis 2004, 78).

The different methods of consultation range in their degree of community participation, reflecting the level of influence over the decision making process. Bridgman and Davis (2004) identify various consultation instruments, drawing on an OECD study by Shand and Arnberg (1996). These range from minimum to maximum participation (Bridgman and Davis 2004, 78-9):

- *Information* is largely a marketing technique in the form of education campaigns to shape attitudes or behaviour. This is not strictly consultative, because the flow of information is in one direction only;
- *Consultation* attempts to solicit and then respond to the views expressed by relevant individuals and groups on a particular issue. While consultation provides opportunity for public input, the process remains ultimately in the control of policy makers;
- *Partnerships*, such as advisory committees, can draw the community into decision making. The need for participants to be representative of the broader community often means that peak bodies represent their sector;
- *Delegation* puts government at 'arms length', transferring control to an external party, such as a statutory authority, or a commission of enquiry. The *Bringing Them Home* report on the stolen generations is an example (HREOC 1997);
- *Control* of a decision is passed to the electorate during a referendum, or to vested interests through privatisation.

Consultation processes need to be tightly structured. The most appropriate type of consultation depends upon the problem being addressed and the purpose for which the consultation process has been initiated. The purpose can range from improving the quality of decision making to simply promoting consensus on policy choices.

Some democratic countries take consultation much more seriously than Australia. Bridgman and Davis (2004) devote a page to Canada's principles of consultation. This list is enlightening, given the similar experience of Australia and Canada in dealing with their Indigenous peoples:

Consultation with Canadians is intrinsic to effective public policy ... It should be the first thought, not an after-thought.

...consultation must be based on openness, trust, integrity, mutual respect for the legitimacy and point of view of all participants...

The initiative to consult may come from inside government or outside...

Whenever possible, consultation should involve all parties ... affected by the outcome of legislation.

...financial assistance or other support may be needed [to ensure participant representation]

Effective consultation is about partnership. It implies shared responsibility and commitment: ... the agenda should be negotiable... (Bridgman and Davis 2004, 87).¹²

Bridgman and Davis (2004, 88) argue that 'the most fundamental trap [in this stage] is the failure to consult relevant parties ... or affected bodies'.

Coordination

The next step in the policy cycle is coordination, which Bridgman and Davis (2004, 90) describe as a 'government virtue' designed to ensure consistency across the complex array of government policies. Consistency fosters: internal congruity, external equality, appropriate official behaviour, due process, and lends legitimacy to government actions. Within the context of multiple and often conflicting goals and complex governmental structures, consistency is an ideal: in reality, coordination should reduce 'harmful inconsistencies' (Bridgman and Davis 2004, 90). The process begins with line agencies conducting internal governmental consultation on the policy's appropriateness and fit with existing policy. Next, a review by central agencies creates a 'whole of government' approach, ensuring coordination from policy, financial and administrative perspectives (Bridgman and Davis 2004, 91). Policy considerations include consistency with party policy, other

¹² Excerpt from 'Consultation Guidelines for Managers in the Federal Public Service', Privy Council Office, Canada, 1992, cited in OECD 1994, 12-13.

programs and intergovernmental and international obligations. Submissions that involve new legislation require consultation with the appropriate legal department. Bridgman and Davis (2004, 98) note:

It is embarrassing (and often expensive) for governments to make mistakes in legal issues, and so great care is taken to ensure appropriate scrutiny before cabinet is asked to make a decision.

The Commonwealth *Cabinet Handbook* maintains stringent conditions, suggesting 'legislation be considered only as a "last resort"' (Bridgman and Davis 2004, 98). Not all competing interests can be appeased through simple co-operation. Sometimes inconsistency proves unavoidable in the face of incompatible political demands.

Decision Making

Bridgman and Davis (2004) set out the management of cabinet decision making, describing the rules and routines that help streamline the process. According to them, the decision reached by cabinet is pivotal in 'the public policy cycle, the point on which all previous and subsequent work turns' (Bridgman and Davis 2004, 103). Despite its central place in the exercise of power, cabinet is not recognised under the constitution: it is not mentioned. Executive authority is actually vested in the governor-general, as the Queen's representative, advised by a federal executive council of 'his' choosing. In practice, meetings of the executive council are a formality with only two ministers required to form a quorum.

In contrast to these constitutional arrangements, 'cabinet is the truly powerful decision making body' within Australian government (Bridgman and Davis 2004, 112). Federal cabinet is chaired by the prime minister, whose interests shape the agenda. Cabinet ministers' 'political judgement' is shaped by a range of considerations, including the 'political consequences, policy objectives, administrative convenience, media attractiveness and their own place in history' (Bridgman and Davis 2004, 103). Cabinet proceedings are shrouded in secrecy. The documents prepared and tabled, the proceedings of meetings, and cabinet's ultimate decisions, are all closely held. Official cabinet

conventions and procedures decree that '[c]abinet ministers must publicly support all decisions taken in cabinet, whatever view they advanced during the meeting' (Bridgman and Davis 2004, 106). The weekly cabinet meetings do not follow democratic protocols – votes are rare – and without adequate support a submission will simply 'lapse, or be deferred' (Bridgman and Davis 2004, 105). The legitimacy and authority of cabinet decisions rest on its role in setting the agenda for the executive (which controls the numbers in the parliament) and the public service (Bridgman and Davis 2004, 106).

Due to the danger of overloading ministers, cabinet focuses on 'setting policy direction rather than trading in detail', which is left for government agencies to determine (Bridgman and Davis 2004, 107). Only important issues make it to cabinet. These include policy incurring significant expenditure, likely to have implications for employment, involving legislation or new policy. A variety of documents go before cabinet, ranging from a legislative *Authority to Introduce* submission, setting out the completed bill and the process and results of consultation, to *policy submissions*, which are limited to six pages, including the cover page. The complex business of cabinet decision making is facilitated by concise advice from central agencies but stymied by the 'elaborate procedures, secrecy and ritual of cabinet deliberations' (Bridgman and Davis 2004, 113).

Implementation

The next step in the policy cycle is implementation: the practical application of policy decisions. This is a vital step in the policy cycle because it marks the point when significant funding is committed. Howlett and Ramesh (1995, 154-55) identify a range of factors that can influence implementation including 'the nature of the problem ... the size of the target group [and] the extent of behavioural change required' (in Bridgman and Davis 2004, 117). The desired change can be promoted through coercive and non-coercive implementation instruments. There are also a number of choices in how a program is delivered, ranging from complete government control to private contracting. The mode of implementation is largely dictated by the policy instruments chosen, which ideally should be

considered at the analysis stage and built into the policy design (Bridgman and Davis 2004, 116).

Complex policy instruments may necessitate a mini policy cycle during implementation and the authors argue that successful implementation requires a 'systematic approach' (Bridgman and Davis 2004, 124). Ideally, implementation will employ existing agencies and frameworks.

Effective implementation strategies require an understanding of the reasons behind implementation success or failure. Any weaknesses in the previous policy cycle steps, a lack of planning or inadequate resource allocation are likely to result in implementation failure. Bridgman and Davis (2004, 117) explain a 'vast literature suggests' that for successful implementation, a policy requires:

- Valid assumptions underpinning notions of cause and effect;
- Simplicity – in the number of steps, the number of actors involved and clearly defined lines of accountability;
- Input from policy implementers during the design stage to encourage ownership;
- Ongoing evaluation to ensure policy learning; and,
- Recognition that implementation is as important as policy formulation.

The success of implementation rests on realistic goals, achievable through 'sustainable programs'.

The complexities of the federal system in Australia require a 'bottom-up process of negotiation between interests, greater local participation, and a willingness to live with some inconsistency and overlap' (Bridgman and Davis 2004, 125). The lessons from implementation can lead to incremental improvement over time.

Evaluation

Evaluation measures the success of a policy, generally focusing on the implementation stage. The purpose of evaluation is to: determine how well the program meets its stated objectives; ascertain the competence of the officials responsible for implementation; and, provide feedback to inform future policy direction. The Department of Finance identifies four types of evaluation (Bridgman and Davis 2004). The most common are *effectiveness* (how well outcomes meet the stated objectives)

and *efficiency* (value for money by measuring outputs against inputs). The other two are *meta-evaluations* (focusing on the evaluation process itself) and *appropriateness* (weighing community needs against program objectives). *Appropriateness* is not as popular due to the political sensitivity of 'social interests and policy goals' and is usually conducted through 'external review committees and commissions of inquiry' (Bridgman and Davis 2004, 130). Under Commonwealth rules program evaluation is conducted at regular intervals, usually between three to five years.

Like the other stages in the policy cycle, there are challenges in evaluation. It can be compromised by constraints on time and/or method. Outputs must be clear and measurable if program efficiency is to be determined. Even when outputs are measureable, outcomes are difficult to predict and impossible to measure during short term evaluation cycles, because they usually emerge in the long term. In the commonwealth, program design is now required to include evaluation criteria, establishing 'performance indicators' (Bridgman and Davis 2004, 132). However, these usually have ambiguity built into them, 'allow[ing] qualified, rather than absolute judgements' (Bridgman and Davis 2004, 132). Uncertain policy goals, problems in attributing cause, time limits and resistance can all confound making clear findings in evaluations. Undergoing the scrutiny of evaluation is usually regarded as negative for policy makers. However, Bill Scales (1997, 108) contends that as public servants, '[w]e need to have the courage to look critically at ourselves to review how we perform and find ways to do things better' (in Bridgman and Davis 2004, 130).

Ongoing evaluation throughout the policy cycle promotes continuous improvement. Bridgman and Davis (2004, 127) argue this should include evaluation of the policy advice because, 'if the theory is flawed, implementation will fail'. Like the policy cycle, the evaluation process is iterative. It is not simply a matter of addressing a problem and solving it. Most programs result in ambiguous outcomes. Public policy is a process of incremental improvement, built on trial and error, requiring ongoing evaluation to facilitate policy learning. Evaluation should start the cycle afresh. *The*

Australian Policy Handbook includes a chapter on managing the policy process and finishes with a range of practical checklists for policy development.

Critique of the Policy Cycle and the Revival of Rationalism

Indonesian academic Athor Subroto (2012, 1) observes ‘the model of the policy cycle ... is widely discussed in the public policy and public administration literatures’ but concedes there is a ‘gap between policy cycle model theory and the complexity in the real situation of the policy-making process’. Bridgman and Davis (2004, 24) have acknowledged that their policy cycle can create ‘artificial expectations of a reliable, predictable policy world’ when in reality it is ‘messy and complex’. Hal Colebatch is ‘prominent’ among the Australian academics critical of the policy cycle (Howard, 2007). Colebatch (2005, 14) argues that Bridgman and Davis’s policy cycle has no basis in practice, nor does it reflect the experience of most practitioners: it simply provides a formula for the presentation of information to reinforce its validity (2005, 20-21). In defence, Bridgman and Davis described their model as ‘pragmatic’, a ‘toolkit’, ‘not a theory’ (Colebatch 2005, 14). But Colebatch (2005) argues this ignores the importance of the theory that informs such approaches, in much the same way that Glover Reed (2005) points out the importance of theory to practice in community development, in the previous chapter. Models such as the policy cycle rest upon a dominant paradigm which ‘presents government as a process of authoritative problem solving’ with all the assumptions of ‘instrumental rationality’: pre-existing problems and objectives, coherence, control and the power of state coercion (Colebatch 2005, 14-5). In his book *Beyond the Policy Cycle* (an edited compilation) Colebatch (2006a, 6-7) describes this perspective as ‘authorised choice’, the first of three ‘conceptual maps’ of policy interpretation. Colebatch (2005, 15: 2006a, 6-10) counters this perception of ‘government as a coherent process of solving known problems’ with the next two ‘conceptual maps’. The second is ‘structured interaction’ which considers government as an ‘area’ of policy interaction, rather than an actor (Colebatch 2006a, 7-8). The third conceptual map is ‘social construction’ which draws from the ‘governmentality’ school of thought. Dean and Hindess (1998: 9)

argue that ‘problems do not exist in themselves’ they are created in the complex interaction of multiple actors (in Colebatch 2005, 17). ‘Governmentality’ considers that ‘[g]overnment exists in the medium of thought, of mentalities and rationalities of government’ (Colebatch 2005, 17). Far from being a mechanism ‘for solving problems; it could more accurately be described as a machinery for finding problems – that is, for framing the world as a set of problems’ (Colebatch 2005, 17). From this perspective, not only policies but ‘the organisational forms and social practices’ that create them, are socially constructed (Colebatch 2006a, 9). Thus, ‘the problem’, ‘the policy process’ and ‘the government’ are all socially constructed ideas (2005, 17). In a review of the book *Beyond the Policy Cycle*, Howard (2007, 252) observed the ‘consistent theme’ of the various contributors’ is that ‘policy models must look beyond the authorised choice perspective and pay greater attention to...the significance of structured interaction’. Disappointingly, the use of the social construction ‘map’ generally focused on ‘actors deliberately and strategically seeking to construct policy narratives in order to further their own agendas’ with:

limited discussion of the significance of unquestioned assumptions within specific political discourses and rationalities, which pervade policy processes and shape the actions of individuals and groups (Howard 2007, 252).

Colebatch (2005) seeks to incorporate the complexity of the socially constructed context, calling for co-ordinated effort, negotiation and teamwork: similar values to community development principles.

Sophia Everett (2003) situates Bridgman and Davis’s policy cycle within what she calls a ‘revival of rationalism’ (from the first half of the twentieth century). Everett argues it ignores the significant body of literature since that period which has pointed out the inability of the rigid scientific/rational frame to actually *make* decisions. While there is a need for ‘good process’ to enact decisions, Everett (2003, 65) argues that ‘it is erroneous to suggest that the content of policy ... is derived from the policy cycle itself ... [it] is not a substitute for the actual making of decisions’. Despite the criticisms, the model is widely used. For example, Westphalen (2003) employed Bridgman and Davis’s model as a normative framework to evaluate the policy processes of the Australian Defence Health Service.

In the literature dealing with policy cycle models more generally, Colebatch (2006b) argues the description of policy as 'a number of activities' 'is compatible with the Western cultural account'. Howlett and Ramesh (1995) identify two concerns with these models; the first is the suggestion of order in a process that more often resembles chaos. As they point out, policy development is often 'ad hoc and idiosyncratic' with the actual process missing steps or the steps being out of sequence (Howlett and Ramesh 1995, 14). Their second criticism is its failure to consider the underlying cause of problems (Howlett and Ramesh 1995). Cosmo Howard (2005, 3) sees some merit in the approach, identifying several strengths including the ability to encompass 'the high degree of competition and contestability' in the policy process. But Howard (2005, 3) warns a distinction needs to be made between the normative and descriptive uses of such models, and argues their utility is limited when decision makers give policy professionals insufficient time for analysis, an issue that becomes evident in the case study. Despite the critiques, the policy cycle model is recognised as a valuable theoretical tool in the analysis and development of public policy (Howlett and Ramesh 1995; Parsons 1995). Perhaps its greatest utility is as a resource for managing the complexity of policy development and analysis. Internationally, scholars have modified versions of the policy cycle in a range of ways to extend or enhance its utility. These include; a framework to study *anticipated* potential problems (DeLeo 2013), 'a new structural-functional framework' for the analysis of public administration (Skok 1995, 325) and 'stretching' 'the conventional policy cycle heuristic' to accommodate the global context of transnational public administration (Stone 2008, 19).

The policy cycle is by no means the only evidence of the rise of rationalism within public policy. Like Everett, Adrian Kay (2011, 236) argues against the 'revival of the 'rationality project'', in a critique of evidenced-based policy. Kay (2011, 236) proposes a 'transition from a single, unique and universal rationality toward multiple [contextualised] rationalities' would mean that 'evidence-based policy making can ... contribute to solving policy problems'. However, other commentators of evidenced-based policy go beyond this apparent faith in rationality. Arie Freiberg and W.G. Carson (2010, 152) argue that in contentious policy areas such as criminal justice, policy must deal with 'emotions,

symbols, faith, belief and religion’ as well as ‘evidence’. Such critiques illustrate that even when the rationality of purportedly rational processes is questioned, the problem solving focus is not. This demonstrates the extent to which the problem-focus is embedded in policy thinking. Given the lessons from community development, what is the effect of this deficit-based paradigm on the wider society, and on policy outcomes? If what you focus on will naturally grow under that attention, what affect does this negative focus have? This discussion is developed through the dialectic steps in the next three chapters. The critique of rationalism is taken much further in the next chapter by turning to Deborah Stone (2002), one of the theorists who has influenced several of these critiques of public policy (for example see: Colebatch 2005; Colebatch 2006a; Edwards 2005; Kay 2011).

Conclusion

This chapter addressed the intermediate conceptual level of collective action. The policy cycle was put forward as an *example* of processes at the institutional level of government. This model is representative of the meta-conceptual level: originating as it does, from the scientific and rational frame (Colebatch 2006b; Everett 2003; Parsons 1995). It is a problem solving model, where the distance between the current situation and the desired outcome needs to be measured, and strategies devised to close this perceived gap. Bridgman and Davis (2004) admit that the professional policy maker works within very real political constraints, and that influence is exercised in both directions: policy makers can sometimes persuade political decision makers and political decision makers can direct or limit the scope of policy professionals’ analyses. This signifies the complex interaction of power operating across the three conceptual levels. Bridgman and Davis (2004) also make clear that the fundamental level of individual behaviour (and subjective judgement) needs to be recognised, and offer strategies to obviate against it. The range of critiques of this model demonstrates its limitations but these authors do not question the problem-focus, which is a weakness from the perspective of transformative community development. This problem-focus is so

deep-seated in western thought, in science and imbedded in rational decision-making processes, that it is rarely questioned.

This chapter has demonstrated that public policy in Australia pivots on the recognition, definition and solving of problems. But if focusing on problems is itself a problem, the underlying *reason* for this focus must be ascertained. The next three chapters deal with this question. The foundational theorists of modern policy processes were all American (Parsons 1995).¹³ Thus, there is a certain symmetry in turning to a contemporary American theorist, Deborah Stone (2002) in the next dialectic step. Stone's critique of rational decision making offers a new perspective on how public policy really works. In chapter 3, Stone's critique provides a very different explanation of public policy, opening the way for an analysis of how this intermediate level is shaped by fundamental human behaviour (and vice versa) in the subsequent chapters.

¹³ Lasswell (1956), Simon (1957), Lindblom (1959) and Easton (1953), mentioned earlier in this Chapter.

Critique of the Policy Paradigm

This chapter provides an evaluation of ‘rational’ policy processes, thus deepening and extending the critiques of problem-solving processes touched on in the last chapter, and offering an explanation for models such as the policy cycle. The chapter is devoted to the work of Deborah Stone (2002), whose analysis is pivotal to this thesis. Stone provides two key elements to *attribution analysis*: clarity of perception of policy processes (and what really motivates them) and a method of narrative analysis. As will become clear in the next two chapters, this clarity is essential in determining the source of the problem-focus in western governmental processes. And secondly, it offers an analytical tool to identify irrational behaviour in ostensibly ‘rational’ processes. Again, the conceptual level is intermediate: policy being a collective, albeit institutional, activity. This chapter deals with processes and norms that are clearly influenced by the meta-conceptual level (the rational/scientific frame) and therefore, reflective of the dominant paradigm. It will also become apparent (both here and in the next two chapters) that the fundamental level of individual behaviour is operating in this intermediate sphere.

The legitimacy of public policy development and analysis rests upon the rational, scientific nature of its processes. Deborah Stone (2002) is highly critical of what she calls ‘the rationality project’. Her critique has similarities with Horkheimer’s and is inspired by scholars such as Lindblom. Specifically, this chapter will review Stone’s critique of rational policy processes. In *A Policy Paradox: The Art of Political Decision Making*, Stone (2002) captures the essence of public decision making and provides a method for decoding the subliminal information imbedded in political discourse. Stone argues that public policy more closely resembles ‘art’ than science, providing a framework to understand the innately political nature of public policy. This chapter opens with the foundations of the rationality project – the three pillars – followed by Stone’s explanation of equity as a policy goal. Finally, the chapter explores the way problems are defined, portrayed and ascribed a cause and a solution.

Stone – The Policy Paradox

In *Policy Paradox: The Art of Political Decision Making*, Deborah Stone (2002) introduces a form of analysis that encompasses the complexity, conflict and subtlety inherent in public policy. These factors are ignored in rationalist analytical frameworks such as the policy cycle. Portraying the process as logical, analytical and scientific reinforces the perception of its legitimacy. Stone (2002, 7) refers to this endeavour as the 'rationality project'. She counters the rationality project with the notion that policy is more art than science, and argues convincingly that policy decisions cannot be understood outside the political context within which they are made. The rationality project, she claims, rests upon three pillars – the *model of reasoning*, the *model of society* and the *model of policy making*.

The first pillar is the *model of reasoning*, which relies on the validity of rational decision making processes 'where decisions are or should be made in a series of well defined steps' (Stone 2002, 8). Despite the intuitive appeal of this approach, Stone (2002, 8-9) points out that it rests on the assumption of a single decision maker or decision making entity. This assumption is not valid within government, where authority is dispersed and decisions are the result of negotiation, compromise or consensus. Stone (2002, 9) maintains that in public policy the outcome of a decision is not as important as the *perception* of the outcome:

Political reasoning is reasoning by metaphor and analogy. It is trying to get others to see a situation as one thing rather than another ... it is strategic portrayal for persuasion's sake...

Stone proposes an alternative model of political reasoning. One that encompasses: changing objectives; the simultaneous pursuit of contradictory objectives; winning by 'appearing to lose'; depicting loss as victory; and, attaining objectives by portraying their attainment (Stone 2002, 8). This model also rests on an alternative understanding of community.

The *model of society* is the second pillar underpinning the rationality project (Stone 2002, 9-10). In western democratic states such as Australia, this is the free market model. This has significant

implications for all policy areas because the market model does not recognise community beyond its constituent parts: autonomous individuals maximising their self-interest through a process of rational decision making. Stone offers an alternative model of society – a political community – derived from Aristotle’s notion of the *polis* (Stone 2002, 10). The polis offers a more realistic description of society by incorporating ideas of collective intention, membership and reciprocity. It was demonstrated in Chapter 1 that these are key concepts in community development, which the market model fails to encompass. Groups are the building blocks of the polis, creating influence, co-operation and loyalty among members. The notion of the *ideal market* implies that information is perfect, complete and freely available to all, giving decisions the appearance of rationality and certainty. This is in stark contrast to Stone’s polis where ‘information is interpretive, incomplete and strategically withheld’ (Stone 2002, 28). The strategic control of information is power and ‘secrecy and revelation are tools of political strategy...’ (Stone 2002, 29). The polis is not simply a collection of rational individuals maximising their private interest; all too often public interest clashes with a range of private interests. In the polis, a solution is not the end of a problem but merely the temporary resolution of conflict.

The third pillar of the rationality project is the *model of policy making* – the production model – ‘where policy is created in a fairly orderly sequence of stages’ (Stone 2002, 10). This is epitomised by ‘rational’ policy frameworks, such as Bridgman and Davis’s (2004) policy cycle, reviewed in the previous chapter. Because this ‘process parallels the cognitive steps of the rational model of decision making’ Stone (2002, 11) argues, ‘government becomes a rational decision maker writ large’. But this model fails to capture the struggle over ideas, which is the essence of policy making in political communities. Rational policy models do not interrogate the ideas they employ, instead, the process actually functions to legitimise them. Simply by fitting them into a step in the policy cycle certain ideas gain acceptance at the expense of alternative views and values. Thus, the *model of production* not only fails to encompass all of the political elements of public policy, it deliberately ignores them to create the perception of legitimacy.

Stone (2002) classifies four major goals that are espoused in public policy: equity, efficiency, security and liberty. Equity is about fair distribution: ‘who gets what, when and how’ (Stone 2002, 39). Efficiency is about maximising value in the pursuit of objectives, rather than a goal in itself. Security is a primary responsibility of governments: ‘whether economic, physical, psychological or military’ (Stone 2002, 86). Liberty is about balancing the freedom of the individual with the security of society. This chapter will review the aim of equity in more detail, because distribution lies ‘at the heart of public controversies’ (Stone 2002, 39) and the case study deals with disadvantaged citizens.

Equity

Stone (2002) differentiates between ‘equality’, implying *sameness* and therefore uniform distribution, and ‘equity’, implying *fair* distribution, which can sometimes involve unequal shares. While equity can be the stated goal of all sides in a political conflict, disagreement centres on the distribution of public goods: whether health, wealth or opportunity. Challenges to uniform distribution usually fit into three main categories: the definition of the *item*, the identification of the *recipient*, and the *process* of distribution.

The *item* or ‘public good’ to be distributed can be concrete, for example money, or intangible, such as access to opportunity (Stone 2002). Challenges can include a demand for redefinition of the boundaries of the item. An example is financial support for people undertaking tertiary education, providing a tangible item to increase an intangible one. Instead of all students being eligible for equal living allowances (the item as money), the item can be defined as a minimum standard of living, requiring an income and asset test to establish financial need. The definition can also be expanded to include the income and assets of the family as relevant criteria (the case of Austudy) or over time to include the student’s future earning capacity (in the case of higher education fees), by creating a debt to be repaid when the student commences employment (Australian Tax Office 2009; Centrelink 2009). The item can also be redefined in terms of its value to the individual, for example

the right to study in one's own language, a source of ongoing contention in, for example, early Aboriginal education.

The *recipients* are determined by categories or criteria that include or exclude people (Stone 2002, 42-43). This can be rank based distribution, ostensibly designed to reward merit. This has two dimensions: vertical, entailing higher remuneration for higher rank; and, horizontal, meaning equal shares for equal ranks. Group based distribution – using criteria such as race or gender – is often proposed to address previous inequity in rank based distribution. Affirmative action, a form of positive discrimination in access to education or employment, is usually justified in terms of addressing historical discrimination (Stone 2002). Opponents to group based distribution challenge the coherence of race or sex as categories, arguing that the definition is too imprecise, that we cannot assume the same experience of discrimination and disadvantage across all members. In Australia, this has been addressed through criteria to establish disadvantage as well as membership of the identified group. ABSTUDY is an example of race specific tertiary student assistance that requires proof of financial need as well as Indigeneity (Centrelink 2009). Proponents of affirmative action maintain that such criteria are too difficult and that racism and sexism are so pervasive that *all* members of a group are affected. Stone (2002, 48) argues that opponents to group based distribution assume the past was 'a halcyon period in which individual merit was the sole distributive criterion for important opportunities' when this was far from the reality.

The third dimension of distribution is *process*, the rules designed to ensure 'fair' distribution of public goods (Stone 2002, 42). In the polis, 'real people' carry out distribution, with often contested criteria for the item and the recipients, so process is vital if the outcome is to be considered fair. In situations where the item (or public good) is indivisible (such as access to public office), fair process is the only justification for unequal distribution. Distribution can affect other people besides the recipients and those who 'miss out'. For example, a reduction in student allowance can lower enrolment, indirectly reducing employment in tertiary education. Distribution systems can also

‘create or destroy things of value (such as loyalty, community spirit or jobs) apart from the things they explicitly distribute’ (Stone 2020, 52).

These three dimensions of distribution illustrate the politics of equity but decisions also tend to be greatly influenced by one’s ‘world view’, even across different areas of policy (Stone 2002, 57). Stone (2002) contrasts two positions, based on the ideologies of social liberalism and social conservatism. In order to illustrate this, Stone (2002) compares Rawls’s (liberal) egalitarian theory of justice with Nozick’s (conservative) market concept (Parsons 1995). Both theorists describe equity as ‘fairness’ but their methods for determining what is ‘fair’ diverge dramatically. Stone cites (2002, 54) Rawls, who distinguishes between social primary goods:

power, opportunity, wealth, income ... [which] are created, shaped, and affected by social structures and political institutions ... [and] natural primary goods ... intelligence, strength, imagination...

which are less susceptible to social influence. Rawls (1971) proposes a hypothetical thought experiment to obviate against the tendency towards *self-interest* in the distribution of social primary goods. This is the ‘veil of ignorance’ behind which self-knowledge (race, sex, class etc) is concealed from the individual imagining fair rules for a hypothetical society (Rawls 1971). Rawls (1971, 60) argues this would generate the following rules:

First: each person is to have an equal right to the most extensive basic liberty compatible with a similar liberty for others. Second: social and economic inequalities are to be arranged so that they are both (a) reasonably expected to be to everyone’s advantage, and (b) attached to positions and offices open to all.

Nozick criticises Rawls’s theory as ‘end result’ despite the obvious elements of process involved (Stone 2002, 54). Nozick counters Rawls’s theory with a ‘process’ theory based on the notion that *self-interest*, through market mechanisms, could *ensure equity*. Nozick proposes that distribution is fair if all holdings (whether newly created or acquired by transfer) are ‘fairly acquired’ (Stone 2002, 53). Thus, historical evidence is required as proof of ‘just’ distribution. This requirement creates a dilemma in any nation acquired through colonisation – such as Australia – where a society based on

oral knowledge is dispossessed by one employing written records. It will also fail to account for past systemic injustice, even when records exist.

Past laws do not necessarily provide a reasonable measure of fair distribution, thus process theories (like Nozick's) are faced with the challenge of how to formulate 'independent standards' of judgement (Stone 2002, 55). In contrast, end-result theories (like that of Rawls) need to establish independent standards to define the item and the recipient. Conservative process theories do not favour redistribution: if an outcome is deemed unfair, the response is to change the process that created it. But liberal end-result theories are intrinsically redistributive: resolving inequity should entail the redefinition of the recipient and the item, and the 'social good' should then be redistributed accordingly. These alternative solutions stem from different conceptions of *property*. Process theories such as Nozick's consider property and value to be *individually generated*. This leads to processes that support individual freedom in the acquisition and use of assets. It also requires collective effort to be *divisible* into individual contributions, which is not always possible, especially when the collective effort creates *synergy*. In contrast, Rawls considers property and value to be socially created, which naturally leads to 'redistributive policies that guarantee everyone some access to socially created goods' (Stone 2002, 59).

Stone (2002) also identifies a fundamental difference between how the two ideologies conceptualise freedom. Conservative process theory is based on a positive view of freedom: *freedom to* exercise control over one's life and dispose of property; liberal end-result theories hold a negative view of freedom: *freedom from* coercion and dire necessity (Audi 1999). The final distinction between the two positions is how they conceptualise human motivation. The conservative view assumes 'people are motivated to work, produce, and create primarily by need' (Stone 2002, 59). The liberal view posits that 'people have a natural drive to work, produce, and create, and they are inhibited by need' (Stone 2002, 59). However, they both assume *self-interest* as the primary motivation of rational actors. While this is obvious in Nozick's market based theory, Rawls (1971, 142) states:

I have assumed throughout that the persons in the original position are *rational*. In choosing between principles each tries as best he can to advance *his interests*. (my emphasis)

This assumption will be interrogated in the next chapter. Stone (2002) points out these opposing assumptions generate different views on distribution policy. They are easily identified in political discourse by reference to the burden of proof each requires to justify re/distribution (Stone 2002). In Australian politics, conservative ideology is championed by the Liberal Coalition, while liberal ideology is advocated by the Labor Party. Although it could be argued, the difference between the two positions is not as great as it once was, with Labor moving toward the 'middle'.

Defining the 'Problem'

The first step in Bridgman and Davis's (2004) model involves *problem definition* – arguably a keystone of policy formation in Australia. Stone (2002) argues that rational policy processes describe problem definition as the measured difference between the current situation and the identified goal. However, 'problems' are not objective facts; they are constructed as an essential element of political manoeuvring. This focus on the 'problem' is a fundamental characteristic of what Aigner, Raymond and Smidt (2002) term 'deficit based' approaches in community development. Stone (2002, 132) contends that the identification and definition of a 'problem' is *strategic*: the deliberate and conscious portrayal of a situation by individuals, groups or government agencies to 'promote their favored course of action'. To counter this, Stone argues for the use of multiple perspectives in analysis. This can provide an 'understanding of problems that is more comprehensive and more self-conscious and explicit about the values and interests any definition promotes' (Stone 2002, 135). It is worth cultivating some skill in discerning the communication devices used to shape issues and identify underlying (and unspoken) assumptions. Stone explores a variety of devices that are used to shape the perception of problems and legitimise the policy process.

Narrative Analysis

The Use of Symbol and Metaphor

Stone (2002) describes how 'symbolism' – the use of language and literary devices – shapes the public's perception of a problem. These devices are a means of influence and control. Symbolic representation of a problem can serve to suspend our critical thinking. Stone explains how different forms of symbolism – narrative stories, metaphor, synecdoche and ambiguity – are used in policy.

Narrative stories offer explanations that are:

often unspoken, widely shared, and so much taken for granted that we are not even aware of them. They can hold a powerful grip on our imaginations and our psyches because they offer the promise of resolution for scary problems (Stone 2002,136).

They can evoke impressions of good and evil by depicting 'heroes and villains and innocent victims' (Stone 2002, 138). By influencing our understanding of the 'problem', the narrative can pre-empt the 'logical' solution. These stories are rarely obvious and can be embedded in the most mundane news reports, even without reference to people at all. Stone distinguishes between two major story lines in public policy: the *story of decline* and the *story of control*. Stories of decline provide evidence for the worsening state of affairs and are used as an appeal for action. The 'stymied progress story' is one version of the story of decline often used by groups to resist government regulation (Stone 2002, 139). The argument that decreasing levels of child abuse are actually due to underreporting is an example of another version, the 'change is only an illusion story' (Stone 2002, 139-42).

Stories of *helplessness* and *control* transform facts usually attributed to nature into situations amenable to human agency. Stories of control bring hope and are used to assign responsibility. Examples in the twentieth-century include Keynesian economics, which was based on the argument that disasters like the Great Depression can be avoided through government fiscal intervention. In health, the link between cancer and diet or smoking offers the hope of control through changed behaviour. Conspiracy is a twist on the *story of control* that reveals hidden power and leads to a call for the many to rise up against the few. Another form of the story of control is 'the blame the victim

story [which] always ends with an exhortation to the ... victims to reform their own behaviour' (Stone 2002, 144). For example, the assertion that poverty is due to choosing welfare over work, or that 'women are raped because they "ask for it"' (Stone 2002, 144).

The use of metaphor, an 'implied comparison', to describe a problem can automatically infer its solution (Stone 2002, 148). If a problem is 'fragmented' then the natural (unarticulated) solution is 'integration'. Rien and Schon (1977) refer to this as the 'normative leap', which creates the jump from description to prescription (in Stone 2002, 148). Describing social behaviour in terms of 'natural laws' is a common strategy to resist calls for redistribution. Charles Murray's (1994) 'law of unintended rewards' is an example, which argues that providing income for the poor provides an incentive to remain poor (in Stone 2002, 150). The 'slippery slope' implies rapid decline. The 'thin edge of the wedge' infers the beginning of profound (and negative) change. A synecdoche is the use of a small part of a policy problem to represent the whole. An example is the characterisation of the Northern Territory Emergency Response as an answer to child abuse, when the underlying problem is broader and far more complex (Anderson and Wild 2007). This helps the problem seem more manageable but it can also limit the policy response to that part of the problem (Stone 2002). Ambiguity is the most important feature of all symbolism. The ability for a statement or event to have more than one meaning is central to politics. Ambiguity establishes external consensus by allowing people to read different meanings into a situation or policy (Stone 2002). The details can then be finalised within agencies, effectively internalising and controlling conflict while giving the appearance of 'doing something'.

The Symbolic Use of Numbers

Just like words, numbers can be used symbolically to portray a situation in a certain way. Numbers are generally perceived as independent and value free. However, the act of counting begins with categorisation, which is neither independent nor value free (Stone 2002). Categorisation involves decisions about what to count and what to exclude. These decisions shape the problem and often

determine the outcome. For example, calls to 'close the gap' between Aboriginal and mainstream Australian standards of living focuses attention on the growing disparity but ignores modest overall improvements to Aboriginal circumstances. Counting involves judgement (Stone 2002). It entails setting boundaries, determining what or who to include or exclude, and choosing relevant characteristics. Stone (2002, 178) makes the point that during surveys, measurement itself can distort the results because it triggers 'the natural desire to look good'. One tenet of the rationality project is that objective and neutral standards of evaluation exist, which are untainted by the interests of political actors (Stone 2002). This is not so: regardless of how objectively a scientific, statistical or numerical measurement is conducted, the decision of what to measure (and therefore, what to ignore or exclude) is value laden. Numbers are strategically used to depict a situation or desired policy outcome in a way that suits the purposes of the portrayer.

Causation

Causation is another theme open to strategically crafted interpretation. Policy is dominated by the idea that solutions involve identifying 'the' root cause of a problem. In fact, the 'analysis of causes is so much taken for granted that it is scarcely mentioned in policy analysis textbooks' (Stone 2002, 188). Stone (2002, 188) contends it is a human impulse 'to search for the cause of any problem' but argues that few public policy problems have simple, linear cause-and-effect explanations. They are generally complex, interrelated issues that cannot be understood in isolation.

The rationality project rests on the 'mechanistic model' of problem definition, which assumes that every problem has an identifiable cause and that once that cause is found, the problem can be eliminated. This is in stark contrast to the reality in the polis – where determining cause pivots on the political imperative to *assign responsibility*. Stone (2002, 189) argues that cause identification is used 'to place burdens on one set of people instead of another'. Causation focuses on people: usually leading to policy that centres on prevention, compensation or punishment. Causal stories contain narratives of oppressors and victims and 'are essential political instruments for shaping

alliances and for settling the distribution of benefits and costs' (Stone 2002, 189). Stone distinguishes between two spheres of cause: the natural and the social. The natural world is the realm of 'fate and accident', where there are natural determinants or a sequence of events but 'no wilful intention'.¹⁴ In the social sphere, events are usually considered the result of human action. But actions that are thought to be the result of will, control and intent are viewed very differently from those thought to be unintentional. Stone demonstrates the relationship between action, consequences, and intention in causal stories in a matrix reproduced in Table 1.

TYPES OF CAUSAL THEORIES WITH EXAMPLES		
<i>Consequences</i>		
Actions	Intended	Unintended
Unguided	MECHANICAL CAUSE intervening agent(s) brainwashed people machines that perform as designed, but cause harm	ACCIDENTAL CAUSE nature weather earthquakes machines that run amok
Purposeful	INTENTIONAL CAUSE oppression conspiracies that work programs that work as intended, but cause harm	INADVERTENT CAUSE intervening conditions unforeseen side effects avoidable ignorance carelessness omission

Table 1: Types of Causal Theories with Examples (Stone 2002, 191)

This matrix illustrates the fluidity of the causal stories political opponents commonly use in their struggle for control over an issue. Despite the porous nature of boundaries between the different categories, the matrix is a useful tool to identify strategic representation. Attributing an event to *accidental cause* can shift responsibility from human actors into the realm of fate. When a policy outcome is positive, the success can be claimed with *intentional cause*, becoming the locus of rational action. However, when the outcome is negative, the combination of intention and purpose represented under *intentional cause* generates the strongest accusation of responsibility. *Mechanical cause* encompasses intention but is once removed from the people ascribed with the intention. The mediating factor can be inanimate or human. *Inadvertent cause* results from

¹⁴ This western conception does not necessarily hold sway in many indigenous contexts.

purposeful action that leads to unforeseen events – this is the domain of perverse policy outcomes. McKnight's (1995) identification of iatrogenic 'caring' services – Illich's (1974) sick-making health care and stupidifying education – might fit into *inadvertent cause* as an unforeseen side effect.¹⁵ But once identified as harmful, surely it becomes *intentional*: programs that work as intended but cause harm in the process. Within the matrix, *intentional* and *accidental* are the strongest positions; however, the weaker stances – *mechanical* and *inadvertent* – provide useful flexibility. All four categories infer 'a single actor, a single action and a direct result' (Stone 2002, 195), an impression that perseveres even in the complex environment in which public policy operates.

To explain this complexity, Stone (2002) turns to three broad types of theoretical model from the social sciences: complex systems, institutional and historical. In *complex systems*, it is argued that it is impossible to anticipate all possible events and effects, so failure or accident is inevitable. Failures also involve so many components and people that it is impossible to attribute blame in any fashion consistent with our cultural norm that *responsibility* presupposes *control* (Stone 2002, 195).

In *institutional* models social problems are considered the product of 'a web of large, longstanding organizations with ingrained patterns of behavior' (Stone 2002, 195). Under this theory, causation can be inferred by linking actions to purpose and motives. *Historical* models hold that 'social patterns tend to reproduce themselves' (Stone 2002, 196). Those with power maintain the *status quo* in their own interests, while victims of social inequality feel powerless to alter their situation. As Stone points out, 'people who are victimized by a problem do not seek political change because they ... need the material resources for survival provided by the *status quo*' (Stone 2002, 196). These models provide some explanatory power. However, a tension exists between the social sciences, with their complex explanations of cause, and real-world politics, where the search is for simple, resolvable causes. Complex models are little use in politics because they fail to: 'offer a single locus of control'; assign responsibility; or, identify 'a point of leverage' to fix the problem (Stone 2002,

¹⁵ See Chapter 1, page 22.

197). In fact, in the absence of an identifiable actor with control, these models can actually be used to deflect responsibility, effectively ‘function[ing] like accidental or natural cause’ (Stone 2002, 196). For example, the claim of ‘institutional’ discrimination can be used as a defence to transform a causal story from *intentional* (direct discrimination) to *unintentional*.

Causal stories are constantly challenged in the polis. A common political strategy is to portray adverse outcomes as the secret intention of an actor: the conspiracy story. Rational choice theory also fits this category: ‘Rational choice theory holds that whatever people do, their behaviour is largely the result of conscious (or even unconscious) deliberate choice among alternatives’ (Stone 2002, 199). Rational choice is a useful political argument, despite the fact that it is a teleological fallacy to assume any given outcome automatically implies intent. Risk is another factor that can shift a problem from the category of accident to purpose. If a risk-benefit analysis reveals predictable harm and that risk is subsequently accepted, then an adverse outcome can be seen as intentional harm in the pursuit of self-interest (Stone 2002).

Public Opinion on Causation

Research into public opinion reveals that people hold quite stable ideas about ‘responsibility for social problems’ (Stone 2002, 203). Generally, the conservative view is that poverty, illness and family breakdown are the responsibility of the individual. While a liberal perspective considers society and its organisations are to blame. Of course, public opinion is strongly influenced by the media. Iyengar (1991) has found that if a story on poverty depicts personal stories and situations, viewers usually hold the individual accountable for their condition (in Stone 2002). However, if coverage is more general – themes, trends and expert opinion – ‘the audience is more likely to attribute responsibility to society at large’ (Stone 2002, 203). Successful causal stories generally share several elements, including proponents who have:

visibility, access to media and prominent positions ... [with a story that] accords with widespread and deeply held cultural values ... captures or responds to a ‘national mood’; and if its implicit prescription entails no radical redistribution of power or wealth (Stone 2002, 203).

Therefore, critiques of the capitalist system are consistently suppressed. The institutions of law (with its formal authority) and science (with its cultural authority) can constrain the political success of causal stories. Politically successful causal stories can:

- 'challenge or protect an existing social order'
- assign responsibility by identifying the causal agents, instigating: punishment; compensation for the victims; and/or, stop or change the action or behaviour
- legitimise and empower the people who solve a problem, and/or
- create new political alliances between the victims of causal problems (Stone 2002, 204).

Identifying cause is about exercising control over the interpretation of problems (Stone 2002). Policy involves a choice about which element in the chain of causation to address. Finding the ultimate cause of harm is not the issue – the purpose is locating moral responsibility and attributing economic costs and burdens. The attribution of responsibility is dictated more by political strength than proof or logic (Stone 2002, 207). The way a problem is defined, portrayed and ascribed a cause determines the ultimate solution.

Policy Solutions

Stone maintains that policy 'solutions' are not intended to 'fix' problems, only temporarily resolve conflict (Stone 2002, 13). Policy solutions, or instruments, are '*ongoing strategies* for structuring relationships and coordinating behaviour to achieve collective purposes' as opposed to permanent resolutions (Stone 2002, 261). Stone identifies three types of policy solutions: inducements, persuasion, and rules.

The first type of policy solution, inducements, describes the use of rewards or punishments to motivate people to change their behaviour. The use of inducements assumes the *adaptability* of the policy 'target' and *purposeful notions of cause*. *Adaptability* rests on utilitarian theories of rational human behaviour that presume people (given the right motivation) will act rationally to maximise their advantage. It also implies that the target has sufficient control over the situation to change the

undesired behaviour. *Purposeful notions of cause* assumes that targets of inducement policies are unitary actors, 'an entity capable of rational behavior ... capable of making a unified calculus and taking a single course of action' (Stone 2002, 267). However, inducements are aimed at groups, not individuals. Individual behaviour can be altered by membership in a group or community. This point is explored in the next chapter. Stone (2002) argues the complex underlying causes of undesired behaviour are rarely identified and thus inducements are rarely effective.

The second form of policy solution is *persuasion*. This can range from the provision of 'objective' information at one extreme to the dissemination of propaganda at the other. The former can be viewed as the facilitation of rational decision making, and the latter, as a means of social control (Stone 2002). Methods of persuasion in the polis generally fit somewhere between these two extremes. Decision making is not simply a rational process; it also relies on habit, simplification and social norms. Again, these processes will be taken further in the next chapter. Thus information in the polis is always interpretive, usually contested and is used to manipulate and influence. Stone (2002, 322) argues, '[s]haping of information is an inevitable part of communication and an integral part of strategic behavior'. Governments and other dominant groups have superior resources at the disposal, which enhance their capacity to manipulate or influence the public's preferences and beliefs.

Rules are the third type of policy solution, encompassing legislation and regulation. Rules are considered to be complete, precise, flexible, neutral and perfectly enforced under the 'rationality project' (Stone 2002). This myth is perpetuated in the polis to reinforce the legitimacy of law. In practice, ambiguity within rules facilitates discretion in their application. Thus, enforcement relies on 'rules of thumb', which remain effective only while they are not publically known.

Rational Decision Making

Stone (2002, 232) argues that '[t]he hallmark of contemporary policy analysis is its focus on rational methods of decision making'. However, in practice the process is usually 'bounded rationality', which

is limited by practical constraints upon the time and information available (Stone 2002, 233).

Rational decision making processes employ a series of steps: define the goal, identify different ways of attaining that outcome, assess the consequences of each alternative and choose the 'best' option to maximise 'total welfare' (Stone 2002, 234). Bridgman and Davis's (2004) Australian policy cycle is an example. Stone (2002) argues that despite the procedural framework, analysis focuses mainly on the step where alternatives are assessed. This leaves the goal largely unquestioned (which aligns with Horkheimer's (1996) argument on 'instrumental reason'). Therefore, Stone (2002) argues, the most appropriate solutions are rarely identified. The foundation of the rational decision making model is the presumption of a single rational actor or entity, responsible for the ultimate decision. However, in the polis decisions are a matter of negotiation and compromise, where multiple actors decide. In the public domain, decision making is central to the exercise of power. Arguments about decision making actually centre on *who* makes the decision: and therefore wields the power.

Discussion

Stone provides a persuasive critique of the types of 'rational' policy processes that Bridgman and Davis advocate. However, there are points where their observations correspond. Both explain the weakness of rational decision making models in the public sphere in terms of circumstance. Stone (2004, 47) describes this as the lack of a single actor or entity involved. Bridgman and Davis lament the lack of 'agreement on objectives', a direct outcome of the distribution of decision making power. The foundational work on decision making by Simon has informed a wide range of disciplines (besides public policy), including management (Parsons 1995). Despite their different focus, managerial decision making models are similar to those in public policy.¹⁶ However, research into weaknesses in managerial processes goes beyond the explanations offered above. These studies 'suggest that decision making often veers from the logical, consistent and systematic process that rationality implies' (Robbins *et al.* 2000, 211). As in policy models, what actually occurs is Simon's

¹⁶ See Bridgman and Davis (2004, 27-29) and Robbins *et al* (2000, 202) for an example of two comparative eight step decision making models.

notion of 'bounded rationality', a truncated approach in comparison to the steps proposed.

Research by Robbins *et al.* (2000, 211) has revealed many insights into human behaviour within the decision making process. These include:

- [limitations] to an individual's information-processing capacity;
- [the tendency] to intermix solutions with problems;
- an escalation of commitment [in the face of failure];
- perceptual biases [in the interpretation of the problem, and];
- [d]ecision makers tend to commit themselves prematurely to a specific alternative early in the decision process, thus biasing the process towards choosing that alternative.

This research demonstrates that, even with a single decision making actor or entity, 'rational' decision making remains elusive. This issue has received attention from various perspectives.

Luhmann (1990, 4) found that decision making groups can become self-referencing systems by selecting or filtering out information from external sources. Bachrach and Baratz (1970, 7) demonstrate how contentious decisions can be avoided; 'non-decision making' relies on the suffocation of demands for change before they are even voiced. This can be achieved by suppressing certain interests by 'manipulating the dominant community values, myths, and political institutions and procedures' (Bachrach and Baratz 1970, 632). An example is the way capital can filter out demands that threaten its interests within capitalist societies (Offe 1974, cited in Parsons 1995; Stone 2002). Bridgman and Davis (2004, 47) acknowledge the need for subjective judgement in most steps in their policy cycle and admit that 'rationality is an unusual thing ... in public policy'. Despite this, the legitimacy of public decision making rests upon the assumption of its rational nature.

Stewart (1998, 136) recommends Stone's *Policy Paradox* to Australian readers as an antidote 'to the tendentious self-importance of economic rationalism'. She argues that *Policy Paradox* provides valuable insight into the machinations of policy makers within the political domain and an analytical method to identify the assumptions and motivations that shape decisions. However, Thomas (1989) contends that while Stone's *Paradox* compliments *rational* policy analysis, it cannot replace it.

Thomas (1989) is also critical of the use of a 'rational' scaffold as the framework of analysis, given Stone's all-out assault on the rationality project. This argument clearly misses the point: Stone is

critical of *irrational* processes masquerading as rationality. She employs reason (or rationality) to disclose this fact: as many others have done e.g. Horkheimer and Adorno. However, it may make it difficult to step beyond rationality as an idea. Thomas (1989, 567) attributes Stone's 'dissatisfaction with rational analysis and the trappings of policy science' to a 'strong preference for intuitive activities'. I am sure Thomas did not intend this observation as a compliment but (as will be discussed in Chapter 5), I would consider it one. It indicates Thomas's awareness that Stone has stepped outside the dominant frame, at least to some extent. I argue this is the strength of Stone's analysis, the source of her insight. *Paradox* is a powerful tool for analysis, describing policy in a way that resonates with lived experience. But the critique is incomplete: it offers no remedy. Indeed, by describing policy as 'art', Stone runs the risk of naturalising the masquerade of the rationality project.

Conclusion

Stone's critique makes it obvious that the attempt to reduce the influence of personal interest and human behaviour in public policy by employing strategies like the policy cycle has been co-opted by what she calls the 'rationality project'. The result is not a reasoned or rational decision making process but one that portrays itself as both in order to legitimise the chosen course of action. Stone demonstrates that many of the key decisions fall outside the framework of models like the Australian policy cycle. Rather than working to obviate this fact, rational models actually function to disguise it. Given the insight from community development – that problems cannot be solved, only transcended – this further undermines the problem solving model that has become so pervasive in western society. The competitive, adversarial nature of western politics – the context in which public policy is formed – is also anathema to asset based community development principles. While relationships and alliances clearly influence politics and policy on all levels, their importance is downplayed because of the perceived (and often very real) implications for the ideal of 'impartial'

decisions. Stone identifies all these contradictions and paradoxes but, like Adorno and Horkheimer (1979) before her, falls short of offering an alternative.

Horkheimer¹⁷ was critical of the use of instrumental reason, which provided a method to choose between goals but ultimately led to the most important decision – determining those goals – being excised from the analysis. Adorno and Horkheimer (1979) employed the critical method that emerged from the Enlightenment – modern reason – to demonstrate the short comings of the Enlightenment (and modern reason). Stone uses rational analysis to highlight the inherent irrationality of the ‘rationality project’. This thesis uses a similar strategy to take their critiques further: to offer an explanation for what is observed and to point towards an alternative. In the next two chapters, the psychology behind the very social milieu of policy is examined. These dialectic steps will firstly, explain the behaviour noted by Stone in terms of attributional biases, linking these to Stone’s observations. Secondly, Chapter 5 will identify the source of these biases by critically examining the formative years of attribution theory to reveal the biased nature of the discipline itself.

¹⁷ Discussed in the opening paragraphs of the introduction

Attribution Theory

The previous chapter provided a damning critique of policy processes ostensibly designed to reduce the impact of the personal upon collective decision making. Stone's (2002) *Policy Paradox* also provides a form of narrative analysis to uncover the assumptions hidden in the discourse used to shape public opinion. However, by identifying these processes as 'art' rather than science, Stone runs the risk of excusing, rather than really understanding, the 'rationality project'. This chapter turns to the discipline of social psychology to explain the behaviour – individual and group – that underlies much of the phenomena Stone identifies. Towards the end of the chapter, the two theories will be synthesised to illustrate their compatibility. This step in the dialectic, which builds directly on Stone's work, covers the fundamental and intermediate conceptual levels. Then, in Chapter 5 (the final chapter in Part 1), the link between these and the meta conceptual level will be demonstrated, to reveal the source of the problem solving focus within western society. This takes us back to the lessons of transformative community development, as an alternative to public policy processes. This is certainly not the first time that social psychology has been employed in public policy. However, the critical analysis of attribution theory conducted in Chapter 5 radically alters the interpretation and conclusions that can be drawn from it.

Attribution theory (AT) examines how people determine cause and assign responsibility – fundamental building blocks of the decision making process – making it particularly relevant to public policy. At its most basic, AT examines the explanations people give for behaviour (theirs and others) and the resulting outcomes. AT has been used to examine issues such as voter attributions of political candidates, and the tension between fairness and self-interest in resource allocation (Diekmann, Samuels, Ross and Bazerman 1997; Ottati 2004). Because attributions affect decision making and negotiation, understanding these tendencies expands our comprehension of processes in the public sphere. In the 1950s, Fritz Heider laid down the groundwork for what would become AT

(Harvey and Weary 1984; Hewstone and Fincham 1999; Kelley and Michela 1980). Research in the field intensified during the 1970s and '80s, creating a substantial body of knowledge. The focus of social psychology has since moved away from AT but Försterling (2001, 8) argues that while direct research into AT may have waned; knowledge of attribution theory remains a 'central building block of social psychology'. AT encompasses attributions of oneself, others and groups (Kelley and Michela 1980). The first focuses on issues that arise from attributions of one's own actions, performance or situation. The second analyses the way an observer judges the cause of another person's actions. The third looks at inter- and intra-group attributions. Biases are observed in attributions – tendencies that undermine the rational, objective nature of a decision. This chapter will provide a brief background for attribution research, going on to describe the biases, some salient findings on behaviour and factors that tend mitigate bias. Finally, the chapter demonstrates the capacity of AT to explain and extend Stone's understanding of the rationality project. This proves the utility of AT to understanding public policy.

Attribution Theory in Public Policy

This chapter expands upon Stone's (2002) critique by introducing AT to provide an effective explanation of individual and group behaviour in decision making. Attribution theory comes from the field of social psychology, one of several disciplines that inform 'information processing' analytical frameworks in public policy (Parsons 1995). These frameworks consider 'how individuals and organisations ... arrive at judgments, make choices, deal with information, and solve problems' (Bobrow and Dryzek 1987, 83). It has long been an aspiration of social psychology to influence public policy and it has certainly realised this goal to some extent. Pettigrew (2004), demonstrates how understandings of inter-group relations have influenced policy across a range of areas at the national and international level. These include: the end of racial segregation in schools in the United States; demonstrating the dynamics of sexual discrimination in the courts; introducing co-operative learning techniques to education; combating aids and reducing tobacco use; and, altering processes within

the Australian Tax Office to increase taxpayer compliance. The discipline's focus also sits well with the intentions of critical theory. Pettigrew (2004, 231) argues that:

Often social psychology takes the perspective of the less powerful and suggests changes in the behaviour of the powerful. This micro-level tactic has the potential for macro level alterations, since it is the powerful who control institutional settings.

AT identifies hidden biases in individual and collective decision making. This insight is used to reinterpret Stone's work, revealing the human dimension in political decision making, processes and structures.

On a practical level, the theories are compatible as they both lend themselves to an effective analysis of the discourse embedded in the written record. Stone (2002, 261) explains how the narratives woven into policy discourse reveal proponents' assumptions and intentions. Harvey and Weary (1984, 430) note '... there is a plethora of natural attribution on display in the written records of humans'. In addition, attribution theory lends insight into Indigenous Affairs in Australia, as will be explored in Part II, the case study. It describes inter-group attitudes and behaviour, the affect of stereotypes on explanations of cause, and subconscious biases that help explain the rationalisation of inequity. The synthesis of Stone with AT provides a framework to explain the less than 'rational' human tendencies displayed in public decision making. This framework is developed further in the next chapter by examining some underlying assumptions operating in AT research, thereby introducing a further dimension, which brings us back to ABCD principles.

Classic Attribution Theories

Central to AT are the behavioural factors influencing judgements of cause and effect that are relevant to all decision making processes (Kelly 1973, in Harvey and Weary 1984). Much AT involves questions of responsibility and freedom (Harvey and Weary 1984). The foundations of AT were laid down by Heider (1958) in *The Psychology of Interpersonal Relations*. Heider (1958, 2 & 4) used the term 'naive psychology' to describe 'common-sense knowledge', which is the 'remarkably penetrating' awareness of the 'complexity of feelings and actions that can be understood at a

glance'. Naive psychology captures 'the unformulated or half-formulated knowledge of interpersonal relations as it is expressed in everyday language and experience' (Heider 1958, 4). Heider argued that understanding how 'common-sense psychology guides our behavior toward other people ... may be of value because of the truths it contains' (1958, 4). He likened the person making an attribution to a *naïve scientist* 'linking observed behaviour to unobservable causes' (in Hewstone and Fincham 1999, 168). Heider's research established the dichotomy between causes that are internal or external to the individual. Internal factors include ability, intention, effort or personal characteristics, while external causes are such things as the situation, task difficulty or luck.

Jones and Davis (1965) proposed that when explaining others' actions, people tend to infer 'that the actor's behaviour is caused by ... a particular trait' (in Hewstone and Fincham 1999, 169). For example, one might attribute an angry outburst to a short temper (internal cause or trait), rather than to frustrating circumstances (external cause). Trait inferences are made spontaneously, 'without effort, intention or awareness' (Hewstone and Fincham 1999, 170). They are triggered when an action is considered socially undesirable or contrary to expectations: 'More generally, only behaviours that disconfirm expectations are truly informative about the actor' (Hewstone and Fincham 1999, 169). An exception to this observation is when behaviour *confirms* a stereotype. However, as stereotypes are usually negative, this tends to support, rather than contradict the trend.

Kelly (1967; 1973) proposes a dual model to explain peoples' attributions of others. The first explains attributions when multiple observations of behaviour are available by using a statistical analysis of variance to measure the cognitive processes presumed to operate (in Hewstone and Fincham 1999, 170-73). The second explains attributions based on a single observation where Kelly found people rely on previous experience to inform 'beliefs, preconceptions and even theories' on cause and effect (Hewstone and Fincham 1999, 173). A significant interaction exists between the two: preconceptions affect how and indeed, what information is processed. Kelly's model is complex but

in simple terms, it demonstrates that people tend to use 'cognitive' shortcuts to make complex inferences quickly and easily.

The three theories of Heider, Jones and Davis, and Kelly provided the foundation for subsequent research (Hewstone and Fincham 1999). These 'classic' attribution theories, along with the plethora of clinical research that emerged from them, have been criticised on several points. Classic attribution models presume a rational cognitive process. They are based on postulations of the individual thinking like a 'naïve scientist', a 'lay statistician' or an 'intuitive psychologist' (Hewstone and Fincham 1999; Ross 1977). Critics have argued that such ideas 'presumed too much mental activity' (Hewstone 1989, 9-11). People in mundane situations tend to be 'cognitive misers' taking short cuts when making attributions (Taylor 1981, 1998, in Vaughan and Hogg 2008). Kelly's model assumes steps in the cognitive process that have not been demonstrated (Hewstone and Fincham 1999, 174). These models also consider attribution outside the social context in which it normally occurs. The very nature of clinical experiments is known to alter the behaviour of the subject. Many studies relied on unrepresentative cohorts (usually university students) and offered the subjects only a limited range of responses. In effect, research participants were 'requested or forced to make attributions' (Försterling 2001, 14).

However, the 'biases' identified in clinical research are also observed in spontaneous attributions made in everyday life. Hewstone and Fincham (1999, 178) argue that these biases 'provide a better descriptive analysis of causal attribution than ... complex normative models'. Thus, while aspects of clinical studies have been criticised, the validity of AT lies in the biases which are clearly observable in everyday behaviour (Hewstone and Fincham 1999). In everyday situations people rely on less information, make attributions quickly and tend to offer certain types of explanations. These tendencies in explanations are 'sources of oversight, error, or bias' that can have 'serious consequences' for the individual concerned 'and the society that he builds and perpetuates' (Ross 1977, in Langdrige 2007, 79).

Judgements of Self

Policy outcomes are closely aligned with political (and policy-makers') success and failure. This means that attribution biases in self-evaluation have considerable bearing on public policy. As Bazerman, Curhan and Moore (2004, 280) noted:

Diekmann (1997) argued that self-interest is a ubiquitous motivation, and that it will tend to bias all judgments in which the decision maker holds a stake.

When individuals assess their own performance, they tend to attribute negative outcomes to external causes and positive outcomes to internal causes. This inclination is called 'self-serving attributional bias' (Hewstone and Fincham 1999). Self-serving attributional bias is clearly evident in the realm of politics. Interviews conducted in the United States several months after an election found that political candidates generally attributed their electoral success to internal factors. These included 'their hard work, personal service to constituents, matters of campaign strategy, building a reputation, and publicizing themselves' (Hewstone and Fincham 1999, 182-83). In contrast, they attributed electoral failure to external factors, such as 'the party makeup of the district, the familiar name of their opponent, national and state trends and lack of money' (Hewstone and Fincham 1999, 182-83). The distinction between internal and external cause is a simple binary description that lacks the nuances found in everyday life. For the purpose of public policy, this thesis will define internal factors as those within the individual's control or responsibility (including trait or character) and external causes as factors outside their control or responsibility.

Within social psychology, there is ongoing controversy as to whether the source of self-serving bias is need-serving (motivation) or information processing (cognitive). The spontaneous nature of attributions in everyday life leads some to conclude that the bias is embedded in cognitive function. Research has led to the formulation of theories on the cognitive processes operating in attributions. The alternative explanation is that personal motivations *impede* objective decision making. As Harvey and Weary (1984, 442) put it, 'self-presentational concerns may influence the causal inference process'. Bazerman, Curhan and Moore (2004) identify three major motivational forces:

self-interest, self-presentation and self-perception. Weiner's (1986) theory of motivation postulated the following sequence when explaining one's own performance:

Event → outcome-dependent affect → causal attribution → psychological consequences → behaviour (in Hewstone and Fincham 1999, 188).

In this sequence, the individual has to *perceive* the event, *feel* an emotional response (affect), *think* of the cause (make an attribution) which in turn has psychological consequences that shape future behaviour.

Modification of Self-serving Bias

Self-serving bias can be moderated under certain circumstances and exaggerated in others. One study found that anticipating scrutiny by experts could make a difference (Harvey and Weary 1984).

The expectation of performance evaluation by prestigious experts led to a moderation of the self-serving bias that occurred when scrutiny was not expected. This contrasts markedly with the response when evaluation by one's peers was anticipated: this led to an exaggeration of personal performance. In colloquial terms, this impulse might be called 'one-up-man-ship' – the desire to out-do others – and is easily recognisable in daily life. While these describe opposite effects, both align with the motivation of self-presentation. A tendency motivated by self-perception is to reduce the level of effort invested in a task when failure is anticipated (Kelley and Michela 1980). This allows the individual to attribute failure to this lack of effort rather than a lack of ability. But it also makes failure more likely.

Exacerbation Cycles

Not all people externalise negatives, as in self-serving bias. The tendency to internalise negatives is one of the attributional factors linked to depression. Storms and McCaul (1976 in Kelley and Michela 1980, 491) demonstrated in their research on *exacerbation cycles* how the consequences of an internal attribution can reinforce and strengthen it. They describe the sequence in children:

in which, (a) undesirable behavior (e.g. sleeplessness, stuttering) is attributed to negative properties of the self (e.g. inadequacies, lack of control), and these attributions (b) produce a set of consequences (expectancy of stressful events,

anxiety, covert verbalizations) that; (c) exacerbate the undesirable behaviors. As a result, the behavior becomes more extreme and, because of its extremity, (d) becomes even more strongly attributed to the self.

Internal attributions can also be essential to positive outcomes. Schulz and Hanusa (1978) designed programs to encourage elderly people to assume control over their social and physical environments (in Kelley and Michela 1980). They demonstrated that empowerment programs can only have long lasting successful outcomes if the people involved attribute the cause of positive change to internal, stable and global factors (in Kelley and Michela 1980, 493). These are factors within the individual's influence, stable over time and consistent across different contexts. This explains the reason internal control is a fundamental principle in asset based community development.

Attributional Style

Weiner (1985) found that two key factors elicit everyday spontaneous attributions: unexpected events, and non-attainment of a goal (in Hewstone and Fincham 1999). Two other triggers are the feeling of loss of control and negative mood states. The predisposition of the individual 'to make a certain type of causal attribution for behaviour' is referred to as *attributional style* (Vaughan and Hogg 2008, 637). Farr (1977) demonstrated that research relying on respondents' self-evaluation 'should not be taken at face value' due to the tendency to attribute good outcomes to the self and bad outcomes to the environment (internalising positives and externalising negatives) (in Kelley and Michela 1980, 493). However, not all studies on self-attribution found evidence of self-serving bias. Ross, Bierbrauer and Polly (1974) found that teachers explaining their own performance 'tended to take responsibility for failure but attributed success to the student' (in Harvey and Weary 1984, 443). This tendency to attribute positive outcomes externally and negative outcomes internally has been called '*counterdefensive*' attribution and is explained by Tetlock (1980) in terms of the desire to meet social expectations (in Harvey and Weary 1984). Such tendencies are considered to contradict the *norm*. This thread will be resumed in the next chapter.

The major focus in the study of self-serving bias has been on individual motivation because the way an individual attributes the cause of a particular outcome obviously affects how they approach that challenge in the future. However, as the attribution of cause is central to policy decision making and as the outcomes of those decisions reflect on the competence of the decision makers, self-serving bias has the capacity to impact on the quality of decision making in the public realm. Self-serving bias is considered innate as it first manifests in early childhood.

Judgements of Others

People tend to judge others more harshly than they judge themselves. This bias in ascription is referred to as the fundamental attribution error (FAE) (Hewstone and Fincham 1999, 170). The FAE describes the tendency to ascribe another's negative or 'unexpected' behaviour to internal factors even when external causes are obviously present. Thus, the observer tends to place too much weight on internal factors (character, ability, skill or effort) and too little on external factors (difficulty of a task, the situation or bad luck) (Jones and Harris 1967, Ross, Amabile and Steinmetz 1977, in Hewstone and Fincham 1999, 178). This contrasts markedly with the explanations given if the person making the judgement finds him or herself in a similar situation. In this case, (as mentioned above) they are more likely to cite situational (i.e. external) causes for negative events. Weiner (1995, 7) postulates that the impulse to search for a human cause when things go wrong arises from a *desire for control*. A key influence on people's judgement of others is the 'social desirability' of the action being judged. It is postulated that this is influenced by their beliefs about what others would do in a similar situation. Jones and Davis (1965) differentiated between two types of attributional bias: motivational and cognitive (in Hewstone and Fincham 1999, 169-70). Motivational bias is triggered when the action has a direct effect on the person making the judgement. An individual's self-esteem and social standing can be affected by the attributions they make, which can make their search for causes or explanations 'less than completely objective' (Kelley and Michela 1980, 473). Different terms have been used for the FAE, including *dispositional*

attributions, spontaneous trait attribution and correspondence bias, because people assume the behaviour 'corresponds' to a particular personality trait (Försterling 2001; Vaughan and Hogg 2008). Although strong in western societies, the FAE is not universal – it is not observed in all cultures – and because it does not manifest until adolescence, is recognised as learned, rather than innate.

Hansen (1980) proposes stages in the cognitive process of 'common sense' attributions when observing another's behaviour (in Harvey and Weary 1984, 438). These steps begin with a choice between the preconceived possible causes for the individual's actions. These can be categorised as internal, external or some combination of the two. The second step is referred to as 'crude attribution', when one option is advanced tentatively. The third step involves a search for other 'causal information'. However, this search for further information is not automatic and, if undertaken, is guided by the crude attribution made in step two and follows the principle of 'cognitive economy' (Harvey and Weary 1984). Thus, our first attribution informs our search for subsequent information and this search is cursory, ending as soon as we have 'sufficient' cause.

Whatever the source of the FAE, research has found it can be moderated or exacerbated. Cheng and Novick (1992) have 'shown that even well-established attributional biases can be reversed by re-framing problems or by subtle changes in the information presented' (in Hewstone and Fincham 1999, 178). In real world situations attributions can be altered by interaction between the person making the judgement and the person being judged. This includes the nature of their relationship, the way the person making the judgement currently feels towards the person under scrutiny and the interaction anticipated between the two (Knight and Vallacher 1981, Taylor and Koivumaki 1976, Regan, Straus and Fazio 1974, in Hewstone and Fincham 1999, 186; Vaughan and Hogg 2008). Clinical research revealed that if the observer felt empathy for the person being judged, the bias disappeared and their attributions converged, instead of contradicting each other (Harvey and Weary 1984).

The Influence of Stereotypes on Attributions

Holding assumptions about others can alter our interaction with them (Harvey and Weary 1984).

These assumptions or stereotypes can generate 'hypothesis testing' behaviour to confirm those beliefs. This in turn induces the target to behave in such a way as to confirm the assumptions held about them, thereby reinforcing the stereotype. Thus, self-confirming cycles, like the exacerbation cycles mentioned above, also function in the judgement of others (Kelley and Michela 1980).

Snyder and Swann (1978) demonstrated a self-confirming cycle by establishing that if hostile behaviour is expected:

person A's expectations of hostility from B elicit the expected behavior from B and if B is encouraged to attribute that behavior to self, the hostility carries over into B's subsequent interaction with an innocent C (in Kelley and Michela 1980, 493).

The expectation of hostility not only produced the anticipated behaviour, but by internalising the cause, the behaviour was perpetuated in future dealings with other people. Expectations, whether positive or negative, can influence one's behaviour and this can in turn alter the response to that behaviour. The FAE does not manifest until adolescence, which indicates it is learned. This can be contrasted to the observed bias in the judgement of self, which emerges in early childhood and therefore, is deemed to be innate. Understandably, attributional biases not only affect interpersonal communication but also group dynamics.

Group-serving Bias

Groups are the building blocks of the *polis* so attributional biases observed at the group level are of primary importance to an understanding of public policy. These biases function both within and between groups and are studied in the field of inter-group attribution (Försterling 2001). Within groups, a form of self-serving bias also operates. Lau and Russell (1980) coded data from newspaper reports of football and baseball games that revealed 'players, coaches and sports writers tended to make internal attributions for success and external attributions for failure' (in Harvey and Weary 1984, 430-31). When determining cause for success or failure within groups, there is also a

difference between attributions made for oneself and attributions made for the group. Research into team sports indicates that members will attribute success to the effort and ability of themselves *and* the team as a whole. However, in the face of failure, attributions of effort and ability are reduced for the team but not for the self (Bird and Brame 1978, Iso Ahola 1977, Roberts 1978, in Kelley and Michela 1980). In other words, people tend to share their group's success but externalise its failures. In public policy, where decision making is often a collective exercise – committees, Cabinet, etc. – this insight is important, especially for potentially unpopular decisions.

When making judgements between groups, the positive behaviour or success of a member of one's group is attributed to internal factors while negative actions or failure are explained by external factors. In contrast, positive outcomes or behaviour for an 'out-group' member are attributed externally and negative outcomes or behaviour are attributed internally. This bias has been demonstrated in a range of areas including sport, university admissions and between different ethnic/racial /religious groups (Försterling 2001; Harvey and Weary 1984; Kelley and Michela 1980). This indicates the bias operates across a range of group classifications. Vaughan and Hogg (2008, 648) refer to this bias as the *ultimate attribution error* (UAE): the tendency of group members to 'attribute bad outgroup and good ingroup behaviour internally, and to attribute good outgroup and bad ingroup behaviour externally'. There are important exceptions to this tendency, however; for example Försterling (2001, 104) points out:

when the own group is an underprivileged social minority and the other group is considered to be a highly esteemed social majority, it has been found that the (underprivileged minority's) intergroup attributions can be less favourable for the own group than for the other group (i.e., the majority).

This is obviously a self-confirming cycle operating at the group and societal level. Members of an underprivileged minority respond to the negative expectations of the majority by acting out the assumptions (confirming the stereotype) and then internalise these negative attributions, thereby exacerbating the behaviour. They judge other members of the minority group as harshly as

themselves. This is the 'othering' process described in Chapter 1. Group-serving biases function to maintain and reinforce stereotypes (Försterling 2001, 103; Hewstone and Fincham 1999, 183).

Groupthink

Groupthink – a related concept from social psychology – has also contributed to the understanding of public policy. In the 1970s, Janis demonstrated this source of poor decisions could operate in policy making groups, despite awareness of their importance and the burden of responsibility (Phoenix 2007). Groupthink leads to 'grossly inadequate' decision making through 'a deterioration of mental efficiency, reality testing, and mental judgement that results from in-group pressure' (Janis 1972, in Phoenix 2007, 107). Research by Janis identified six 'defects' in policy decision making produced by groupthink, which led to fiascos such as the Bay of Pigs invasion. The group:

1. considers only a limited range of options
2. fails to adequately re-evaluate the first (preferred) option
3. fails to re-evaluate alternative options that were rejected early in the process
4. makes little or no attempt to seek expert evaluations (positive or negative) on alternatives
5. displays a 'selective bias' towards information that supports their initial (preferred) decision and ignores advice that contradicts it
6. spends little time considering possible problems and therefore, fails to formulate contingency plans to cope with these problems (in Phoenix 2007).

Janis (1972) confined his research to clearly defined groups, hypothesising that groupthink is likely in groups which display cohesiveness, are insular and have directive leadership (in Phoenix 2007). In cohesive groups members display 'concurrence seeking' behaviour to maintain group loyalty. This means they tend to avoid conflict and controversial issues, and fail to challenge dubious decisions. *Silence is wrongly assumed to indicate consent* (Janis 1972, in Phoenix 2007). Insular groups exclude outsiders until after the decision is made. This occurs frequently in policy, for example in Cabinet meetings, because of the need for secrecy (Bridgman and Davis 2004). Directive leadership is

displayed by leaders who actively promote their 'own preferred solution' (Janis 1972, in Phoenix 2007). This is another frequent phenomenon in politics and policy.

Groupthink can be induced by a situation that creates a moral dilemma, prompting a decision which violates the member's own moral code. Janis postulated that the homogeneity of 'social and educational backgrounds of the officials who man the top posts in Washington ... may be an important factor that increases the chances of groupthink' (in Phoenix 2007). It is assumed that the concurrence-seeking behaviour typified by groupthink is a response to 'threats to the self-esteem of the members' (Janis 1972, in Phoenix 2007, 112). There are a range of 'symptoms' of groupthink but the most disturbing is the paradox that groups who are 'softheaded' due to mutual loyalty 'are likely to be extremely hardhearted toward out-groups and enemies' (Janis 1972, in Phoenix 2007, 109). Even a group made up of 'amiable' decision makers 'find it relatively easy to authorize dehumanizing solutions such as large-scale bombings' on a rival nation (Janis 1972, in Phoenix 2007, 109).

Subsequent research into groupthink has provided support for, and critique of, Janis's work (Phoenix 2007, 114). For example, it has been verified that groups high in 'entitativity' (cohesiveness and concurrence-seeking) tend to hold stereotypical views of in-group and out-group norms, and feel hostility towards out-groups. Also, 'group polarisation' has been demonstrated in the tendency for a group of likeminded people to reinforce and strengthen a pre-existing opinion. It is likely that Janis's work informed the opinion 'that individual decision making is likely to be more rational than group decision making' (Phoenix 2007, 113) in public policy, despite the old adage that 'two heads are better than one'. However, of the three factors Janis identified as predisposing policy makers to groupthink, only directive leadership has been established as a *necessary* prerequisite. It has also been demonstrated that group dynamics change over time, altering the propensity for groupthink. While no explicit links are drawn between groupthink and group-serving attributional bias, the first is clearly an exaggeration of the second.

Information Processing Rules

Kelley and Michela (1980, 465-66) propose several 'information processing rules' which apply 'in principle to almost any kind of cause and effect' thinking. The *primacy* effect means the first attribution is the strongest and will be maintained even in the face of later discrediting evidence (Kelley and Michela 1980). The beliefs based on an attribution tend to persevere even after the information it was based on is shown to be false. And people tend to remember the attribution, not the information that shaped it (Harvey and Weary 1984). *Salience* is the tendency to attribute an outcome to the most 'salient' cause observed at the time, usually the first cause that comes to mind that provides a 'sufficient' explanation. *Similarity* is the assumption that properties of the cause are similar to properties of the observed effect or outcome. People's attributions are influenced by their beliefs and experience. 'Given a certain effect, there are *suppositions* about its causes; given a certain cause, there are *expectations* about its effect' (Kelley and Michela 1980, 468). This can mean that available information can be ignored or, if taken into account, will rarely be considered 'without some influence from preexisting suppositions or expectations' (Kelley and Michela 1980, 468). Thus, the naïve attribution, based on personal beliefs and incomplete information, can continue to exert influence over the ultimate range of options considered. Consistency and distinctiveness of one's own, and other's judgements increase confidence in their credibility. This has been demonstrated in politics where a 'consistent (though wrong) minority swayed the majority more than an inconsistent minority' (Nemeth, Swedlund and Kanki 1974, in Kelley and Michela 1980, 481).

The power of AT lies in its ability to describe the biases people display in everyday life. This provides a more useful (and reliable) analytical tool than clinical testing or complex normative models. Non-invasive research has revealed that attributions are frequent and fundamental aspects of the decision making process (Försterling 2001). Attribution theory reveals that individual and collective explanations of cause and effect have inherent biases that can reduce the 'rational' nature of subsequent decisions (Hewstone and Fincham 1999). As Kelly (1973, 127) argued decades ago, '[c]ausal attributions play an important role in ... [deciding between] alternative courses of action' (in

Harvey and Weary 1984, 445). These biases unconsciously limit the range of options considered in decision making because of: their spontaneous nature; the tendency to accept the most obvious cause; and, belief perseverance in the face of discrediting evidence.

Attribution Theory and Community Development

In Chapter 1, McKnight's (1995) explanation of how caring services erode community capacity was outlined. AT explains the source of this 'professional problem'. The tendency of caring professionals to attribute the cause of a problem or deficit to internal rather than situational factors is an example of the FAE. The externalising of the negative – you are the problem – and internalising of the positive – I am the solution – are ego defensive and ego enhancing respectively. They are both products of self-serving bias. This bias explains why the welfare of institutionalised caring services unconsciously takes precedence over the welfare of their 'clients'. Internal attributions of cause create exacerbation cycles, reinforcing rather than resolving the 'problem'. Thus both the impulse and the outcome (iatrogenic service provision: sick-making healthcare and stupidifying education etc.) are revealed through an understanding of attributional bias. AT also explains why the principles of ABCD work. Focusing on positives breaks the exacerbation cycle created by negative internal attributions. Recasting the past in a positive light begins the process of internalising positive attributes for the individual or the group. Identifying the assets of all community members, and inclusive participation and responsibility, begins the process of internalising positive attributes for individuals and alters their perception of the locus of control, thereby increasing agency. Insisting on internal control ensures positive outcomes are attributed to the in-group and its members. Excluding external entities and actors until late in the process, when goals and aspirations are established, avoids the process being undermined by negative out-group/professional attributions. But this insight throws public policy and politics into stark relief: what are the outcomes of a deficit based enabling environment? Not only for community development but for the wellbeing of society as a whole?

Attribution Theory and the Policy Paradox

There are many points where Stone's critique of the rationality project and the insights offered by AT correlate. Attribution biases lend explanatory power to Stone's descriptive analyses. Attribution is a key part of decision making so the results of bias in the public domain are profound. Langdridge (2007, 75) argues that 'whether we attribute causes to people or to the environment can have important consequences for our attitudes, beliefs and behaviour'. In public policy, these consequences are far-reaching. Understanding attribution bias, and the factors that mitigate it, is essential to understanding public policy.

Stone (2002) proposes three pillars of the rationality project. The first – the model of reasoning – (wrongly) assumes a single decision maker. AT demonstrates that even if this were the case, the individual is often less than 'rational'. Once the decision making entity is recognised as a group, group-serving bias arises and groupthink becomes an issue. The second pillar, the model of society, was identified as the ideal market. This is the place where self-interest (motivating self-serving bias) rules. The significance of self-interest to meta-level structures such as capitalism and economics will be discussed at length in the next chapter. The ideal market was contrasted with a more nuanced conception based on Aristotle's polis, which is often held up as an ideal in democratic societies. The danger in idealising history is that the reality can be ignored. The Athenian polis was ruled by an elite minority with a restricted franchise based on slavery and sexual inequality (Aristotle 1962). The uncritical acceptance of these shortcomings (then and now) can serve to naturalise the situation as 'the way things are'. AT has demonstrated the power of such assumptions to influence attributions. By shaping the situation as 'normal', both self and group-serving bias can lead to a 'blame the victim story' in Stone's terms: attributing negative outcomes to internal characteristics of the person or group. The final pillar – the model of policy making – employs a process influenced by the sciences to facilitate an objective and rational outcome. As Stone (2002) points out, these models, such as the policy cycle, fail to interrogate the most contested features of public policy: the ideas, assumptions

and beliefs of the decision makers. Every step is unwittingly influenced by attributional bias. Because attributions are unconscious and automatic, the biases described in AT undermine the presumption of objectivity upon which the rationality project rests.

In matters of equity, determining the recipients of distribution policy involves decisions about group parameters. This gives scope for group-serving bias. As recipients are likely to be members of an out-group of the decision makers, negative attributions about their need for assistance – for example associating unemployment with laziness – can be anticipated. Members of a perceived in-group are likely to be judged far more sympathetically. Pay rises for politicians generally go ahead, even with criticism from a substantial out-group. Fair process is designed to mitigate the self-interest of human agents who carry out distribution. To contrast the foundations of liberal and conservative attitudes to equity, Stone turns to Rawls and Nozick, who both deal with the notion of self-interest. However, Rawls attempts to alleviate it, while Nozick's theory relies on it as people's primary motivation. Rawls's liberal view on 'responsibility for social problems' (Stone 2002, 203) attributes poverty, illness and family breakdown to society and its organisations. But instead of internalising the responsibility, this explanation operates like complex systems theories, placing the 'cause' beyond the control of those in power. Nozick's conservative perspective is that the individual is to blame. The former blames 'society', the latter blames the victim. The poor rarely have the opportunity to define the cause of their poverty in the public sphere, and might well agree with the dominant view. Both ideologies can be understood as the externalisation of negatives. Therefore, attribution bias is embedded in theory as well as policy and politics.

Stone (2002, 135) argues that policy 'problems' are not objective facts; they are the portrayal of issues to 'promote [the] favored course of action'. This shaping of the problem functions to alter the attributions of the target audience. While intentional 'spin' is undoubtedly employed, the shaping of problems can also be explained by subconscious bias in spontaneous attributions. Stone maintains that the use of symbolism serves to suspend our critical thinking, to persuade us to see things a

certain way. AT identifies how small changes to the way a situation is presented can change how we attribute cause. Stone considers the shaping of information to be strategic but AT reveals that often the shaping of information can actually be an unconscious response to the need to enhance or protect self-esteem, or arises from the FAE. Stone identifies how the use of metaphors to describe a problem automatically infers the solution. AT explains this through the processing rule of *similarity*: that people assume the properties of the cause are similar to the properties of the effect. Thus, attribution theory explains the 'normative leap' from description to prescription (Stone 2002, 148). Stone identifies how narratives such as the 'blame the victim' story are used to assign responsibility. AT explains these stories in terms of the FAE: the tendency to attribute negatives to an internal disposition of the other person, rather than to an environmental cause. If the 'blame the victim' story relates to an issue generated by policy, self-serving bias externalises the negative outcome onto the victims. In collective circumstances, this bias becomes the UAE with the out-group held responsible for their negative behaviour and outcomes.

The FAE also explains why media reports on poverty featuring individuals in financial distress are more likely to elicit 'blame the victim' responses from viewers than those which only discuss poverty at a conceptual level. Attaching a face to the negative outcome of poverty facilitates the FAE by providing someone to whom an internal disposition (e.g. laziness) can be attributed. As Iyengar (1991) noted, the more general coverage led the audience 'to attribute responsibility to society at large' (in Stone 2002, 203). Describing social behaviour as 'natural law' is another way to mobilise unspoken assumptions at the unconscious level, triggering self- or group-serving bias. The use of ambiguity allows everyone to infer their own meaning while leaving the definition of a problem to the policy in-group – where group-serving bias operates and is unlikely to be challenged.

Numbers may be value free but counting entails categorisation (Stone 2002). It is recognised that categorisation creates inclusion and exclusion by setting the boundaries in resource allocation and more punitive policies. This process effectively defines the in-group and the out-group. Group-

serving bias operates to naturalise inequity. The terms used to shape people's perceptions of where they 'belong' can affect the acceptability of a policy. The selection of relevant characteristics, which involves judgement, is also likely to be shaped by attributional bias. If decision makers are unaware of these biases, they are unable to consciously obviate against them. So even when employing what they assume to be 'objective' and neutral standards of evaluation, bias is apparent.

In defining the in-group and the out-group, categorisation is unlikely to be free of stereotyping and *othering*. Group-serving bias involves holding members of the out-group responsible for negative events and outcomes, but attributing positive events and outcomes to external causes. The inverse is true for outcomes within a group, implying that government agencies, departments and political parties will naturally tend to internalise positives and externalise negatives. The assumptions we hold alter our attributions and our personal interactions. Holding a stereotype of another person can alter our interaction with that person. The resulting unconscious behaviour to 'test' for assumed traits will induce behaviour that will confirm the stereotype and even reinforce the behaviour. This outcome is also demonstrated at the group level by self-confirming cycles. Policy designed to mitigate negative traits no doubt functions at an institutional level to reinforce those traits. This explains welfare recipients focusing their time and energy on outwitting the system, which is ever vigilant for welfare cheats.

Stone's (2002, 188) recognition of the human impulse 'to search for the cause of any problem' is also the focus of AT. Stone argues that in the polis, determining cause is not about finding the ultimate cause of harm, it is about *assigning responsibility*. Weiner (1995), writing on attribution theory, speculates the tendency to identify a human agent arises from the desire for order and control. The underlying motive remains unresolved. However, the impulse to assign responsibility results in the FAE at the individual level and the UAE at the group level: or does the FAE and UAE result in the impulse to assign responsibility? Either way, information is intentionally shaped for strategic and

political reasons *but* it is also influenced by irrational, unacknowledged impulses that can have unintended and even destructive consequences.

When a policy outcome is positive, claiming *intentional cause* effectively functions as a claim of ownership (Stone 2002): internalising the positive outcome. When the outcome is negative, *intentional cause* blames someone else (Stone 2002), externalising responsibility. The political imperative to assign responsibility in the *polis* (Stone 2002) is actually an attributional tendency independent of policy processes. The causal stories identified as 'essential political instruments for shaping alliances and for settling the distribution of benefits and costs' (Stone 2002, 189) exemplify the UAE, the FAE and self-serving bias. Determining cause pivots on internalising positives and externalising negatives.

Stone's (2002, 261) describes policy solutions as '*ongoing strategies* for structuring relationships and coordinating behaviour to achieve collective purposes' pointing to the very human nature of the policy process. Rules and inducements are intended to alter people's behaviour. Aboriginal people's right to purchase alcohol was curtailed as part of the Northern Territory Emergency Response. The measure was designed to reduce alcohol consumption. However, if Aborigines internalise responsibility for problem drinking – attributing the policy to their lack of self-control – they are likely to fulfil this negative attribute. Inducements and rules that arise from attributional biases are likely to exacerbate, rather than alleviate, undesired behaviour. The assumption of people – policy makers or targets - as rational actors ignores the unconscious level.

Persuasion is another form of policy solution. Stone (2002, 322) observes that the '[s]haping of information is an inevitable part of communication and an integral part of strategic behavior'. AT demonstrates that attribution bias alters how we understand and explain events. And even minor changes in the way information is presented can alter people's attributions. The information used to persuade is shaped by, and in turn shapes, peoples' attributions. It is open to bias. The superior

resources at the disposal of governments and media enhance their capacity to influence the public's attributions.

A deeper understanding of human behaviour extends Stone's analysis of rational decision making. AT reveals that individuals have biases that distort their attributions of cause. Rational decision making models have recognised limitations, rendering them 'bounded rationality' in practice (Simon 1957, in Parsons 1995). One limitation is the tendency to favour one option early in the process, thus 'biasing the process towards choosing that alternative' (Robbins *et al.* 2000, 211). This tendency is explained by the information processing rule *primacy*, which states the first attribution (based on early information) is the strongest and will be maintained even in the face of discrediting evidence (Kelley and Michela 1980). Another weakness recognised in the management literature, the limit 'to an individual's information-processing capacity' (Robbins *et al.* 2000, 211), is also explained by AT. Both *primacy* and *salience* (accepting the first sufficient cause) and the notion of the 'cognitive miser' mean people do not normally question their first attribution. And people tend to remember the attribution, not the information. The tendency 'to intermix solutions with problems' (Robbins *et al.* 2000, 211) is explained by *similarity*: the assumption that the characteristics of one will be similar to the other. 'Perceptual biases' and the 'escalation in commitment' for a doomed decision can both be understood in terms of attributional biases. The first springs from bias in causal attribution, the second is a reluctance to admit failure, *primacy* and belief perseveration (Kelley and Michela 1980).

Stone (2002) identifies group decision making as less than rational. Certainly, the biases observed at the individual level are writ large in group situations. The fundamental attribution error becomes the *ultimate* attribution error in a group context. Thus, success is owned shared by the group but failure is externalised. This tendency has long been recognised. Count Ciano's comment that 'victory has a hundred fathers but defeat is an orphan' is often quoted (Knowles 1999, 217). Committees provide 'wriggle room' for individual members. This is because responsibility for success is shared, while responsibility for failure is externalised onto the other members of the group. Although group

affiliation means this criticism is unlikely to be voiced publicly. This is the mechanism through which co-optation operates, silencing dissenters by incorporating them within the policy making group (Dryzek 1990). The suppression of dissent is one of the symptoms of *groupthink*, the 'self-censorship of deviations from the apparent group consensus ... [along with] the false assumption that silence means consent' (Janis 1972, in Phoenix 2007, 112). Groupthink restricts the range of options considered, inadequately re-evaluates the preferred option and fails to provide for contingency plans. Groupthink also manifests 'an illusion of invulnerability ... an unquestioned belief in the group's inherent morality' that fosters hostility towards out-groups (Janis 1972, in Phoenix 2007, 112).

Bridgman and Davis (2004) describe Cabinet as a decision making body shrouded in secrecy: fertile ground for groupthink to develop if combined with directive leadership. They suggest a collegiate approach to policy formulation can reveal and test assumptions (Bridgman and Davis 2004, 54) but the UAE, group-serving bias and *groupthink* all weaken this proposition. These biases, along with the continued homogeneity in the educational and social background of policy makers, are likely to foster unrecognised agreement on a range of assumptions that limit the options considered. Identifying a policy problem as 'wicked' – and therefore, beyond solution – is likely to function as external cause, providing a convenient reason to externalise failure. It may also create ego-defensive behaviour. When failure is expected people tend to reduce their level of effort or employ self-handicapping behaviour (Kelley and Michela 1980). This allows policy professionals to maintain self-esteem by attributing failure to these factors rather than themselves. *Why bother, it's not going to work anyway: it never does*. Bridgman and Davis (2004) acknowledge that good policy analysis is a paradoxical combination of subjective judgment and objective ethics but the 'rational' nature of either is far from assured.

Conclusion

Deborah Stone (2002), reviewed in Chapter 2, offers an insightful critique of public policy processes such as the policy cycle. However, while Stone's portrait resonates with experience in the *polis*, she offered no unequivocal explanation. Attribution theory, with its three major types of bias, groupthink and the factors that influence attributions, addresses this issue. The biases and tendencies observed in attribution theory have much to tell us about public policy as described by Stone. The human shortcomings revealed through AT are all too obvious in the public sphere. Much of the behaviour in politics and policy (and the dysfunction or distance from rational 'ideals') described by Stone demonstrate the biases described by AT. Attributional tendencies at the fundamental level are encapsulated in policy and politics at the intermediate and meta-levels. The *irrational* behaviour described by Stone is not simply a matter of strategy or 'art'; it is the stuff of unconscious impulses. Stone argues determining cause is actually about assigning blame – this is the FAE. Economic analytical models dominate in public policy (Bridgman and Davis 2004), based on the market model of society (Stone 2002). These models rest upon the ubiquitous nature of self-interest. The way self-interest manifests is revealed by attribution theory.

Because AT also explains the factors that can moderate attributional biases, it extends Stone's analysis by offering some possibility for improvement. However, while this analysis provides an explanation for the way policy functions, it can also naturalise the dysfunction as 'human nature'. The next chapter will explore some of the limitations of attribution theory as it stands. The most important issue addressed is the assumption of self-interest as a ubiquitous trait. A deeper examination of AT research challenges this notion. This prepares the way for a subsequent synthesis of *Policy Paradox* and AT, from which a theory of public policy emerges. This will reveal why rationalist theories and models, like the policy cycle, will not accomplish their aims and it prepares the ground to return to ABCD principles, in relation to public policy.

Beyond the Rationality Project

In the previous chapter, attribution theory's description of human behaviour, at the fundamental conceptual level, was used to extend Deborah Stone's (2002) critique of public policy, offering a deeper understanding of human fallibility and the motivations shaping the intermediate level. To extend its utility to public policy, a deeper critique of attribution theory itself can be shown to give a more comprehensive explanation. This stage in the dialectic reveals a critical imbalance in public policy, but it also provides the means to respond to this imbalance. In this final chapter of Part I, the assumptions that underpin attribution theory are considered. This chapter examines these assumptions and the normative measures against which attributional biases are contrasted: the ideals of logical, rational and objective knowledge.

In a critique of the cognitive approach in social psychology, Darren Langdridge (2007) points out the influence of attributions of cause on macro level issues such as unemployment. In many ways, his critique is analogous to Stone's evaluation of the rationality project. It raises questions about the assumption of rationality and objectivity that underpin the social sciences in general, and social psychology in particular. Pam Oliver (1991) writing in the discipline of psychology, argues that despite rationality being refuted, it continues to form the foundation of current theory and practice, making a re-evaluation of earlier research necessary. A review of AT literature from the 1970s and 1980s, using AT itself as the analytical framework, supports Oliver's argument in the field of social psychology. This process opens an alternative understanding of attributional biases, offering a new conceptualisation of the rationality project as an example of patriarchy, and providing an original framework – attribution analysis – to identify and understand it.

Critique of Cognitive Social Psychology

In *The fundamental attribution error: A phenomenological critique*, Darren Langdrige and Trevor Butt (2004) contend the fragmentation of attribution research needs to be addressed by a unifying theory. They call for a fundamental shift away from the cognitive approach, which currently dominates social psychology. Specifically, they focus on the fundamental attribution error (FAE). They explain the FAE derives from the presumption of objectivity, and the notion of dualism, on which objectivity rests. They trace the history of social cognitive theory, arguing that the development of thought on the FAE exemplifies the strengths and weaknesses of social psychology more broadly.

Langdrige (2007, 76) defines the FAE as the tendency 'to attribute the cause of other people's behaviour more to personal characteristics and less to the situation'. Langdrige and Butt (2004, 358) stress the importance of the issue by quoting Jones's (1990, 164) description of the FAE as '... the most robust and ubiquitous finding in the domain of interpersonal perception'. However, despite the ongoing research into the FAE, the debate over its cause remains unresolved. The authors critique the two most prevalent explanations: the 'widely supported' theories that argue the source of the FAE is cognitive, the product of multi-stage cognitive processes; and the alternative view, that the bias is a product of motivation. While the issues with the internal/external dichotomy are noted, they are not taken further as they are neither definitive nor do they improve our understanding of the problem (Fein 2001, in Langdrige and Butt 2004). The authors point out that 'the FAE rests on an assumption of dualism' (Langdrige and Butt 2004, 365), creating the internal/external dichotomy. Dualism also underpins the assumption of a separation between the mind and the body, which underpins the idea of the 'rational' human being, in contrast to the 'instinctive' animal. This concept is 'held to be natural and self-evident [as the] ... natural attitude in modern societies' but Langdrige and Butt make the observation that this attitude is learned and culturally specific, not innate and universal (2004, 365).

As we covered in the previous chapter, attribution theory is derived from the work of Heider (1958), a Gestalt psychologist. While the cognitive approach to AT builds on Heider's work, there is a fundamental disjuncture between the two. Langdridge and Butt (2004, 366) cite Heider's postulation that when observing others 'we assume we are faced with another intentional being [with sense and intention] like ourselves' implying that we judge others from self-knowledge. This contrasts with the cognitive approach, where people are assumed to judge the 'social desirability' of an action in comparison to what other people would do in a similar situation. This implies a form of comparative analysis in the 'cognitive processes' involved in attribution. But perception cannot be reduced to a process between subject and object (as Cartesian dualism assumes), because the object is always seen in context. Instead of an external relation with linear causality as assumed by the cognitive approach, Heider considered the relationship between subject and object as circular and internal, in keeping with his Gestalt psychology (Langdridge and Butt 2004). Heider surmised the tendency that later become known as the FAE arose because the person being watched tends to hold our attention, making the surrounding factors recede. As Heider (1958) described it, 'behaviour engulfs the field' making the situational 'background' less important (in Langdridge and Butt 2004, 359). So the FAE might be regarded as the product of a strong default position of person as figure, with the ground receding in perceptual importance. Counteracting it is difficult. One might alter his or her perception with coaxing from another person but rarely, if ever, through willpower alone. Heider's theory was later expanded to claim that certain *situations* will *always* trigger the FAE. Langdridge and Butt (2004, 359-60) identify five major problems associated with Heider's perspective:

- the FAE is learned – young children do not display this bias
- the FAE is not universal across all cultures, despite its prevalence 'in Western individualist cultures'
- 'there is evidence of individual differences in' attributions and 'the FAE can be affected by experimental manipulation'
- it has been demonstrated that the FAE can be affected by mood, and

- the FAE occurs even when descriptions of behaviour are written, rather than witnessed.

The authors argue for a middle ground between the current *intellectualism*, which focuses on individual interpretation, and the earlier *empiricism*, which focused on stimuli. They hold that the focus of social psychology should be on experience, not causal relationships. They argue for a more general, unifying conceptualisation, employing existential phenomenology.

Langdrige and Butt (2004) draw upon the philosophy of Maurice Merleau-Ponty (1962) to provide a fresh theoretical conceptualisation of the FAE. Phenomenology began with Husserl who aimed to suspend 'preconceptions in an attempt to arrive at a pure description of phenomena' (Moran 2000, in Langdrige and Butt 2004, 361). Husserl argued that culturally derived preconceptions 'predispose us to certain explanations and thus contaminate our appreciation of phenomena' (Langdrige and Butt 2004, 361). Husserl proposed his 'phenomenological reduction in order to stand back from the natural attitude' (Langdrige and Butt 2004, 361). However, the possibility of a value free 'God's eye-view' has been robustly challenged by Heidegger (1962), Sartre (1969) and Merleau-Ponty (1962) (in Langdrige and Butt 2004, 361). These existential phenomenologists stressed 'the embodied and intersubjective nature of our perception' (Langdrige and Butt 2004, 361). Merleau-Ponty's (1962):

elaboration of the lived body, a concept that was profoundly anti-dualist and emphasized the importance of perception as our direct contact with the world (Langdrige and Butt 2004, 162)

offers a valuable contribution to AT. This perspective stands in stark contrast to the assumption of 'objectivity' derived from Cartesian dualism.

Cartesian dualism underpins the cognitive approach to psychology, assuming the separation of the mind and body. It implies that one *body* has to read another to ascertain what its *mind* is thinking.

But Merleau-Ponty conceptualises the mind as *embodied*, inferring that people directly read the intention of others (Langdrige and Butt 2004). Therefore, what happens *between* people is primary,

not what occurs *inside* them. Langdridge and Butt contend that conceiving the subject as *socially derived* solves many of the problems in social psychology that result from dualistic assumptions.

According to Merleau-Ponty, objectivity misrepresents, or fails to grasp, lived experience.

Perception, he argued, arises in the relation *between* perceiver and world. Therefore, no perception can be reduced to its constituent parts as the cognitive stream of AT implies (Langdridge and Butt 2004, 362). Cognitive social psychology employs the notion of the *cogito*¹⁸, which:

conceives of cognition, emotion and behaviour [as separate entities] in external relation to each other ... [However, because internal relations exist between them, one] cannot be specified without implying the others (Langdridge and Butt 2004, 363).

Phenomenology considers our engagement in the world as primarily pre-reflective and practical (*I do*, rather than *I think*). We read others' intentions directly, 'an intersubjective understanding' rather than in a process of cognitive stages (Langdridge and Butt 2004, 364). Above all, we grasp others' principle concerns or objectives in the world, apparently finding 'the attribution of dispositions and traits useful ... to anticipate others' actions' (Langdridge and Butt 2004, 364). This supports motivational explanations for the FAE but not the complex cognitive stages thought necessary to make them. Langdridge and Butt (2004, 365) postulate that the FAE arises because people prefer 'a rule to guide action', while noting an attribution 'need not have the quality of a once-and-for-all belief'. This leaves the question of how and why it develops.

Piaget (1959) considered the ability to 'de-centre' oneself as an 'achievement of maturity' but Merleau-Ponty (1962, 355) argued this development must be underpinned by the 'unsophisticated thinking' of the child (in Langdridge and Butt 2004, 365). A child is unaware that its own view of the world represents only one perspective. However, as Langdridge and Butt (2004, 365) argue:

[a]s a child develops, objective thought develops and we witness a move from a shared lived world to a world differentiated into subjects and objects. This, of course, is why the child is not as vulnerable to the FAE.

¹⁸ See page 87 for an example of a hypothesised process denoting this conceptualisation.

Langdrige and Butt (2004) argue that learning 'objectivity' during adolescence explains the development of the FAE. The child who is unconscious of his own subjectivity is a fairer judge of the 'other' than the objective adult. As complete objectivity is impossible, the assumption of objectivity undermines the capacity for the fair judgement of others. Langdrige (2007, 99) counters the notion of objective thought, which assumes 'the world consists of separate objects ... that can be defined and measured', with the concept of 'lived reality' where our understanding of the world is shaped by our perception. Perception has to be understood within its social context because the interaction between the person and the world 'cannot be broken down into its component parts' (Langdrige 2007, 99). The distinction between 'person and situation, ... subject and object, individual and environment or ... mind and body' that typifies cognitive psychology is false (Langdrige 2007, 100).

Despite more than fifty years of research, a comprehensive theory of attributional bias has so far eluded social psychologists (Langdrige and Butt 2004). Because the FAE is learned and culturally specific, one must conclude it is a product of society. Langdrige and Butt contend that it is the product of the model of 'objective thinking'. They call for a move in focus from cognitive processes to personal experience. According to Langdrige (2007, 100), '[i]t does not matter whether a person is right or wrong'; perception is more important than notions of objective truth. Research methods should move away from 'experimental control and identification of cognitive processes' to 'a focus on first-person accounts and rich description of social experience' (Langdrige 2007, 100).

Langdrige and Butt (2004, 367) conclude that the FAE is an interesting phenomenon which should be guarded against in 'various arenas of social life'.

Langdrige and Butt's critique of Cartesian dualism and their identification of objectivity as the source of the FAE extend our understanding of attributional bias. Their proposed phenomenological social psychology more closely reflects Heider's original perspective than the cognitive approach that currently dominates social psychology. However, Heider (1962) argued that avoiding the bias was impossible without external assistance (Langdrige and Butt 2004). The dichotomy between private

and public spheres implied in ‘various arenas of *social life*’ (my emphasis) (Langdridge and Butt 2004, 367) is also problematic. As was established in the previous chapter, attributional bias is clearly evident in public policy, politics and academic theory. Surely, the argument against Cartesian dualism and objectivity used to explain the relationship between the research subjects – the observer and actor – must apply equally to the researcher and the researched.

However, Langdridge and Butt did not adopt an existential phenomenological methodology themselves, nor advocate such a methodology for future research. This would require acknowledging their own subjectivity, and the subjectivity of all researchers. Every attribution observed and encoded through research entails a subsequent attribution: the one shaping the judgement of the researcher. As Heider (1958, 6-7) argued decades ago:

[S]cientific psychology has a good deal to learn from common-sense psychology ... all psychologists use common-sense ideas in their scientific thinking; but they usually do so without analysing them and making them explicit.

While research techniques or conclusions in AT have been criticised, the subjectivity of the researcher remains largely unacknowledged. This oversight goes beyond the individual researcher – it can be levelled at the discipline as a whole.

Rather than dismiss the FAE as immaterial, their analysis makes it more important because, just as an understanding of the FAE can enable people to avoid making such ‘errors’ (Kelley and Michela 1980; Langdridge and Butt 2004), an understanding of the underlying causes might enable western society to counteract its development. While current explanations of attributional biases provide insight to public policy processes that are less than ‘rational’ and ‘objective’, the uncritical acceptance of the bias might simply serve to validate these shortcomings as human fallibility. Because the relationship between the subject and object is circular and internal, attributions can create exacerbation and self-confirming cycles. Thus attribution bias is potentially destructive: at the personal, social and societal level. Therefore, unlike Langdridge and Butt, I argue that further

explanation for the prevalence of biases like the FAE in western societies is urgently required and arguments that serve to naturalise it, while understandable, should be viewed with scepticism.

The Question of Objectivity

In a critique of psychology, Pam Oliver (1991, 351) disputes the possibility 'of objectivity in human reasoning or knowledge, whether in scientific endeavour or everyday thought'. This challenge to the 'myth of objectivity' in social research or science is not new. For example, Campbell (1988) reviewed a wide range of social and philosophical analyses, including the work of Popper, Kuhn, Feyerabend and 'dozens of other writers in the ... social sciences' to demonstrate the 'fallacy of adhering to the belief that objectivity is possible' (in Oliver 1991, 351-52). Science has moved beyond this limitation¹⁹, for example quantum theory recognises the influence of research on that which is being observed (Hoffmann 1959). However, many of the social sciences continue to base their research practice on nineteenth-century scientific ideology. Thus, the 'myth of objectivity' continues to hold sway in psychology. Oliver argues (1991, 351):

One of the clearest examples of this is in 'psych-speak' (Harré, 1985) – the contrived rhetoric which uses a language of impersonality, detachment, objectification, and implied causality and is employed within academic psychology ... so that rationalized hunches can masquerade as logical hypothetico-deduction.

'Psych-speak' is clearly observable in attribution research. However, another form of expression also clearly evident is the use of metaphors as explained by Stone. While psych-speak confers objectivity upon the researcher, metaphors serve to infer the objectivity of research subjects. This form of symbolism relies upon shared understanding, which is socially and culturally derived. In particular, Stone (2002) identified metaphors as a means of persuasion.

Metaphors such as 'lay psychologist' confer upon the research subject the legitimacy of the researcher. This inclination implies a level of empathy and an ability to identify with the subject's attributional tendencies. This empathy is not always apparent in attribution theory, a point that will be examined shortly. In the 1950s, Heider described the 'intuitive or naïve psychologist' (Vaughan

¹⁹ See the argument of Tesoriero on page 23

and Hogg 2008, 80) as a description of someone using intuition or 'common-sense knowledge' (Heider 1958, 2). In the 1970s, when Ross (1977) used the same metaphor to describe the 'man in the street', it was to evoke the impression of an objective, rational and scientific process. The 'man in the street' had 'at last ... been awarded a status equal to that of the scientist who investigates him' (in Langdridge 2007, 78). Ross (1977) postulated that:

The intuitive scientist's ability to master his social environment depends [upon the accuracy of his scientific approach, and any] ... bias in his assumptions and procedures may have serious consequences, both for the lay psychologist himself and for the society that he builds and perpetuates (in Langdridge 2007, 79).

Ross (1977) took the analogy further, noting that 'like the academic psychologist, he is guided by a number of implicit assumptions about human nature' (in Langdridge 2007, 79). These metaphors clearly project the unquestioned 'objectivity' of the researcher onto the research subject. They also reflect the extent to which the researcher identifies with the subject's reactions and behaviour. Perhaps this served to provide a comfortable explanation for a bias we all might exhibit. Ross's article also clearly illustrates the male-centricity of earlier attribution research.

The image of a *ghost in the machine* - the mind as the control centre of the body - is another example of the use of metaphor. Langdridge argued the separation between mind and body is implicit in this image. Langdridge was not the first to question the assumptions upon which much of social psychology relies. Heider's (1958, 6-7) recognition that 'all psychologists use common-sense ideas in their scientific thinking' means that 'without analysing them and making them explicit' these attributions are open to unconscious bias. In the 1980s, Shaver (1985) married AT to the philosophy of mind in an attempt to develop a *theory of blame*. Shaver (1985, 8) criticised attribution research for 'virtually excluding from consideration personal motives that are inconsistent with the model of human beings as rational problem solvers'. In the 1990s, Weiner (1995) linked attribution theory with philosophical and legal notions. The intention was to illustrate the pervasiveness of judgements of responsibility and to 'extend an attributional theory of motivation that relates thoughts and emotions to behaviour' (Weiner 1995, 3). Weiner (1995, 3) used the metaphor of humans as

'Godlike' in their desire to determine right from wrong, to judge others, determine responsibility and pass sentence. Perhaps this is the ultimate use of metaphor to legitimise this judgemental tendency as a fundamental (and unquestioned) mode of being. However, it should be acknowledged that this Christian conception of God (by definition an unknowable deity) is constructed from the image of rational and judgemental man (Feuerbach 1843, xiii). In essence, 'God' is conceived as 'manlike' – a projection of the self onto the unknowable. To say man is 'Godlike' is simply to turn the mirror back onto the self, a reflected self-projection that lends legitimacy to the image. Paradoxically, in the attempt to lend objectivity to the research subject, the discourse in social psychology also clearly indicates the subjectivity of researchers in the field. This subjectivity is epitomised by the use of metaphors in AT.

Unlike Langdrige and Butt who simply refute objectivity, Oliver seeks a reason for its maintenance. While the myth of objectivity has been dispelled, it is still widely maintained as the ideal in teaching and research across many disciplines, particularly psychology (Oliver 1991.) This 'liberal ideology of rational man' (Fee 1983, in Oliver 1991, 345), continues to underpin AT (Försterling 2001). But Oliver (1991, 345) argues, this ideology assumes a sexual dichotomy between 'emotionality and rationality, objectivity and subjectivity, beauty and truth, art and science'. 'Nature and emotion' were associated with women, while the perceived opposites, 'reason, technology, and civilization' were equated with men (Oliver 1991). Jean Lipman-Blumen (1984) describes the association of non-rational thinking with women as a 'control myth' – a contrived, self-perpetuating social truth. Women are considered 'intuitive, holistic, contextual', while men are 'analytical, abstract, field-independent, and therefore smarter than women' (Lipman-Blumen 1984, in Oliver 1991, 348). Oliver (1991, 349) argues that 'the establishment of scientific rationality as orthodox thinking' has led to the 'disempowerment and control of women, and other groups'. 'Mainstream psychology has been far from neutral in the process of constructing this image of women as emotional, non-objective and therefore inferior' (Oliver 1991, 346). Oliver argues these beliefs continue to influence social science theories, serving to maintain inequality (1991, 349). There is a fundamental contradiction for a

discipline which aims to improve the human condition but which has shaped, and maintains 'dominant and oppressive ideologies and social structures through the promulgation of particular theories' (Oliver 1991, 356). Therefore, Oliver (1991, 356) argues:

It is incumbent now on academic psychologists to recognize the myths, values and social norms which have shaped the ideology of rationality as objective logic, both within our discipline and beyond, and to defuse those which are destructive and oppressive. This means re-examining previous research and theory, especially in areas of social and general cognition, for inherent gender bias, acknowledging the social and political consequences of such theories and interpretations, and being more honest about declaring publicly the invalidity or limitations of those theories which have achieved public popularity and influence.

New theories are required that will promote an open-minded understanding of rationality: one that includes subjective and common-sense reasoning, and embraces cultural diversity. Oliver (1991, 354) maintains that '[t]he reframing of rationality is not merely a gender issue; it has consequences for our global future'. The following analysis responds to this entreaty. It presents an overview of the gender differences that have been identified in AT and the 'inherent gender bias' of researchers in response to those differences. An application of AT to this research area reveals the attributional tendencies of the researchers. This introduces a more nuanced understanding of AT, opening the way for an alternative analysis of the *rationality project* and intriguing possibilities for public policy.

Gender Bias in Attribution Theory

Oliver's critique is now over two decades old but her argument remains germane today. AT is one of the few areas in social psychology that has not undergone a significant re-conceptualisation of its original ideas (Tenant 2010). This is doubly surprising, given Försterling's (2001) observation that knowledge of attribution remains 'a central building block of social psychology'. During the formative years of social psychology, women were absent both as researchers and as research subjects (Field Belenky, McVicker Clinchy, Rule Goldberger and Mattuck Tarule 1986). Once women were included as research subjects, sex based differences in attributions began to emerge (Field Belenky *et al.* 1986; Levine, Reis, Sue and Turner 1976). The AT research conducted during the 1970s has been contested on several counts, including the treatment of differences between the sexes.

The validity of tendencies like self-serving bias and the FAE rest on their prevalence within everyday social interaction (Hewstone and Fincham 1999), so other observable tendencies should be just as valid. This review of AT literature focuses on researcher's attitudes towards sex differences and their various attempts to explain, reframe or disprove them.

In 1969, a study conducted at Flinders University in South Australia identified differences between female and male attributions of cause for success or failure. Feather (1969) set out to investigate how initial confidence in one's ability to perform well on a task would affect consequent attributions for the outcome. The study found that '[f]emales were lower in initial confidence, higher in external attribution, and higher in feelings of inadequacy than were males' (Feather 1969, 129). Feather (1969, 143) ascribed this difference to cultural expectations, namely 'that the female should appear modest and dependent, and that assertiveness and self-confidence is a masculine trait' but made the point that '[t]he possibility of sex differences in attribution deserves further investigation'. Others adopted this line of research, with subjects of varying ages – children, adolescents and adults – used to explore this phenomenon.

Elfriede Löchel (1983) conducted a study of four-year-old children, which found sex differences in attributions for achievement already exist at this young age. For example, responses from girls used *age*: 'because I'm big enough' to explain their 'unexpected success' while boys used *age*: 'I'm not old enough' 'to defend their failures' (Löchel 1983, 209 and 214). The attribution patterns were described as 'self-derogatory bias for girls and a self-enhancing bias for boys' (Löchel 1983, 216). Some of the girls attributions even favored 'learned helplessness'. Löchel (1983, 218) concluded that '[a]ll the sex differences found in this study have been shown to be clearly disadvantageous for girls'. She postulated that girls' attributions were due to socialisation into 'stereotypical sex role expectations' (Löchel 1983, 219), despite the young age. The development of 'modification programs' were suggested to alter girls' 'disadvantageous' attribution patterns (Löchel 1983, 219).

Löchel – a female researcher – did not question the masculine ‘norm’ nor the social environment that clearly favoured it.

Nicholls (1975) conducted a study of fourth-grade children to determine their causal attributions for success or failure, and other ‘achievement-related’ behaviour, on a mock ‘test’. He identified sex differences in the children’s explanations for failure: girls ascribed failure to their lack of ability (an internal factor), while boys attributed it to bad luck (an external factor). He also found that boys tended to increase their effort when they were failing while girls’ effort remained fairly constant. Nicholls described girls’ attributions for their ability as ‘self-derogatory’, concluding ‘that girls react less positively than boys to intellectual challenge’ (Nicholls 1975, 379 and 388). The bias observed in boys was termed ‘defensive’ (referring to one half of self-serving bias: externalising negatives) and was considered to lead to positive ‘achievement-related’ behaviour (trying harder when they failed).

However, the researchers assumed that a competitive test and the wording of the attribution questions – for example, I succeeded because ‘I am smart at this’ (Nicholls 1975, 382) – were gender neutral. The terms used for these alternatives to self-serving bias include ‘counterdefensive’ ‘esteem-attenuating’ (Ross 1977, 83) and ‘self-denigrating’ (Nicholls 1975). These terms imply a contradiction to the ‘natural’ tendency towards self-protection (ego) or a weakening of self-esteem. This naturalises ego-protection, while pathologising a bias that privileges *relatedness*. Females’ concern for relationships is acknowledged in the psychological literature (Mapstone 1995). In addition, the language used clearly indicates a subconscious level of empathy for one bias and a deprecation of the other. This attitude is illustrated in a description of Nicholl’s findings by Stephan Rosenfield and Stephan: ‘girls took less credit for their success and more blame for their failure than did boys’ (Stephan, Rosenfield and Stephan 1976, 1161). This could have as easily read, ‘girls took less credit for their success and more *responsibility* for their failure than boys’. However, because we understand others through our own self-knowledge, and because empathy can create attributional convergence, it is not surprising that male researchers validate one way of ‘being’ and

misunderstand or misinterpret the other. And, because self-serving bias leads to the externalisation of negatives, traits external to oneself tend to be seen as negative. This is obviously the foundation of the process of *othering*.

Once sex differences were widely established in the literature, research to explain or disprove the different attributional bias observed in female subjects continued. The following two examples used psychology undergraduate student as subjects. Rosenfield and Stephan (1978) conducted a study to measure how changing the description of a test along stereotypical gender lines can alter a subject's achievement attributions. This study investigated attributions for one's own performance using a mock 'test' with randomly assigned outcomes (very good or very bad results) (Rosenfield and Stephan 1978). They hypothesised that self-serving bias is a form of egoism and that women did not exhibit the bias because they lacked motivation to perform well on 'male' tasks. They manipulated participants' perception of the gender relevance of the test by describing it as a measure of 'masculine personality' indicating potential for leadership, or 'feminine personality' demonstrating the ability to empathise with others. They found that on the 'masculine task' males tended to internalise success and externalise failure more than females. However, on the 'feminine task' females tended to internalise success and externalise failure more than males. They concluded that the level of 'ego-involvement' explained the attributional differences and determined that females were as *egotistical* as males. This normalises the masculine impulse and explains the feminine impulse in masculine terms.

Mirels's (1980, 299) investigation followed similar lines but tested more generalised attributions of 'either positive or negative outcomes in their own lives or in the lives of others'. This was in contrast to Rosenfield and Stephan's test of subjects on a task with an outcome which they actually had no agency to alter, thus rendering the 'bias' (the gap between reality and their attributions) arbitrary. Mirels's *Study 1* found clearly defined gender differences in the acknowledgement of responsibility

for positive and negative outcomes for 'typical' events. Male respondents displayed a self-serving bias, tending to attribute good events or outcomes in their own lives to:

my abilities, judgements and actions [and bad events or outcomes to] ... luck, chance, and other factors beyond my control ... but showed no such differential allocation in attributions about others (Mirels 1980, 301).

Thus, the male subjects attributed more responsibility to others for negative outcomes than they did to themselves (the FAE). In contrast '[f]emales appeared conspicuously less self-serving than males in their attributions' (Mirels 1980, 302). Their attributions did not show a significant difference in responsibility for negative or positive outcomes in their own lives but their evaluation of others saw negatives attributed to external causes while ascribing greater responsibility for positives. Females' attributions of others' responsibility for negative outcomes was 'virtually identical' to their own (Mirels 1980, 302). Mirels (1980, 299) described these tendencies as 'self-depreciating inclinations'.

In his second study, Mirels (1980, 303) included two modifications, based on the hypothesis that 'the types of events envisioned' as 'typical' might differ between the sexes. *Study 2* replicated the experiment procedure in *Study 1* but used 'sex-related' outcome domains – male-academic and female-social – and altered the context of the question from 'most people's lives' to 'most students' lives' (Mirels 1980, 303). Under the male-academic domain, the responses closely replicate those obtained in *Study 1*. Under the female-social domain, however, female respondents demonstrated 'more egotistical attributions', taking more responsibility for positive outcomes and less for negative outcomes than they attributed to others (Mirels 1980, 304). Male respondents showed the opposite tendency in the feminine-social domain, rating others more favourably than themselves. Across all variables in both studies, males judged themselves more highly than females and the effects obtained were stronger when the domain was left unspecified. Mirels (1980) postulated that self-serving attributions are strongest in domains with high sex-related importance. Concluding that 'evidence for self-serving bias was obtained for both males and females' in this second study (Mirels 1980, 299).

A distinction needs to be made between the domain of *achievement* dealt with in both these studies and the domain of *affiliation* (McHugh, Frieze and Hanusa 1982). Both studies imply that the change in terms alters only the relative importance of achievement to the subject but it actually alters the domain within which they are measuring their capacity. Women are demonstrably better communicators than men (Brizendine 2007). Therefore, it may not be an exaggeration to say that as a female, you are likely to perform better in the social domain than half the population: most males. The attribution may not be bias at all, but a fair description of reality.

In the early eighties, an edition of the journal *Sex Roles* was devoted to a feminist critique of attribution theory research. In an article from that edition, McHugh, Frieze and Hanusa (1982, 467 and 469) argued that the AT literature has not demonstrated 'consistent sex differences' in self-attributions, despite the tendency of researchers to refer to the models as 'proven fact'. They also note that ambiguities in the research conjectures mean that a model can be substantiated, even when using different results. These issues may be due to the lack of consideration of situational factors, researchers' tendency to view females as a homogenous group, and that females and males understand the wording used in AT questions differently. Sweeny, Moreland and Gruber (1982) argue for a re-examination of: the research findings, the inference of functionality/dysfunctionality and the consequences of attributional differences on different sexes (in McHugh, Frieze and Hanusa 1982, 469). McHugh, Frieze and Hanusa (1982, 476) conclude by suggesting that 'naturally occurring and spontaneous' attributions may provide a more valid understanding of sex differences.

In the same edition, Frieze, Whitley, Hanusa and McHugh (1982) identified the three most cited models of female attributions and how these are used to explain female achievement behaviour. Firstly, 'self-derogation' proposes that women tend to attribute their successes to external factors and their failures to internal factors. Self-derogation is based on the hypothesis that people try to maintain consistent beliefs about themselves and this attributional style maintains the low self-esteem women exhibit in achievement settings, in contrast to the self-serving bias men exhibit to

maintain high self-esteem. Secondly, 'general externality' proposes that women externalise positives *and* negatives. This tendency is explained by the higher propensity of women for 'fear of failure' *and* 'fear of success'. This can be contrasted to the sociological perspective, which argues that 'general externality' reflects the lower control that women exercise over their destiny in a patriarchal society. Finally, 'low expectancy' proposes that women attribute their successes more to effort or luck than to ability or ease of task, but their failures more to lack of ability or task difficulty than to lack of effort or bad luck. It is postulated that because women have low expectations of performance in a range of 'achievement-related tasks', they tend to attribute success to unstable factors and failure to stable factors (Frieze *et al.* 1982, 336). All three theories suggest that women are unlikely to attribute their successes to ability but diverge on their other predictions.

Frieze *et al.* (1982) go on to conduct a meta-analysis of twenty-one studies which examined sex differences in success-failure attributions to determine the level of empirical support for each of the models. They also assessed another salient variable in the studies, the wording of attribution questions, identifying two major forms. They classified these as 'causal wording', which asks direct questions about the importance of each of the various attributional factors as a *cause* of the outcome, and 'informational wording' which asked 'how much ability, effort, and luck the person had and how difficult the task was' (Frieze *et al.* 1982, 337), thereby indirectly assessing attributions of cause. The authors found that the use of 'informational wording' was more likely to reveal sex differences (Frieze *et al.* 1982). However, with 'causal wording' 'there are no strongly supported sex differences in attributions, and none of the models described above were supported' (Frieze *et al.* 1982, 341). They conclude that the search for sex differences in causal attributions 'may not be a fruitful one' (Frieze *et al.* 1982, 341).

The rationalisation for 'self-derogation' – that people try to maintain consistent beliefs about themselves – may appear reasonable to someone who exhibits self-serving bias in order to maintain high self-esteem. However, it sounds like classic FAE or a 'blame the victim story' when applied to

women. It actually offers no explanation at all, while removing the need for one. The virtue of modesty is not discussed, outside stereotypical social expectations. Likewise, 'general externality' is explained by internal factors – a *fear* of failure or success – while ignoring situational factors – women's reduced agency in a patriarchal society. 'Low expectancy' is also attributed to internal factors while ignoring environmental factors. The one thing all these models have in common is their derogatory treatment of an attributional tendency that contrasts markedly with the masculine.

There is one type of study still cited in AT literature that treats an alternative to self-serving bias in a positive light. Mentioned in the previous chapter, this particular finding continues to be identified as the exception to self-serving bias that appears to 'prove the rule' (Harvey and Weary 1984; Langdridge 2007). Ross, Bierbrauer and Polly (1974) found that teachers explaining their own performance 'tended to take responsibility for failure but attributed success to the student' (in Harvey and Weary 1984, 443). This 'modesty' was contrary to expectations, prompting the authors to attempt to 'account for the instructors' surprising willingness to assume responsibility for failure' (Ross, Bierbrauer and Polly 1974, 618 and 610). The research design did not specify the sex of the subjects but mentioned having difficulty finding enough 'professional' teachers (Ross, Bierbrauer and Polly 1974). Given this and the 'unexpected' result, it is likely that most of the subjects were female: two-thirds of all teachers in the United States were female at that time (NCES 2010). Ross, Bierbrauer and Polly (1974) consistently use the masculine as the default in reference to the subjects. However, this inclination was accepted practice at the time, which is reflected in Ross's other writings (see the examples above). The description of this 'unexpected' result is positive and the authors attempt to explain it in terms that fit with masculine experience. They argue the findings 'contradict predictions that follow from theories of ego defensive attribution' (Ross, Bierbrauer and Polly 1974, 615). Tetlock (1980, 288-89) reviewed this and other studies on teacher attributions, attempting to explain the findings in terms of the desire to satisfy social expectations. Self-presentation is recognised as one facet of ego maintenance leading to self-serving bias. However, why this should manifest in one profession and not others was not addressed.

One of the studies reviewed by Tetlock (1980) that corroborated Ross, Bierbrauer and Polly's (1974) findings was undertaken by Ames (1975). Unlike Ross, Bierbrauer and Polly (1974), who did not mention the sex of their subjects, Ames clearly identifies his 'eighty female subjects' as the total cohort (1975, 670). Ames (1975, 673) noted that 'instead of blaming the student or situation for failure, teachers assumed responsibility for failure and credited the student with his own success'. This 'quite unexpected' finding – given the 'affective significance' to the teacher – created the need to attempt to explain the lack of defensive attributions. It seems egotistical attributions resonate with researchers' lived experience and are implicitly understood, but taking responsibility – 'nondefensive' attributions – require explanation. This rationalisation postulated a belief framework that differentiated between responsibility and cause. However, the sex of the subjects was not mentioned at all in this discussion, nor indeed was the obvious match between the 'unexpected' findings and 'self-derogatory' and 'nondefensive' bias defined in other studies cited above.

Attitudes towards women's success in the public sphere have altered markedly since the 1970s. But AT research continues to demonstrate sex differences in attributional style. For example, a study on motivation conducted by Campbell and Henry (1999) found 'gender differences' in the self-attributions of college students. Men were more likely than women to attribute their performance to ability, which the authors surmised might 'contribute to the glass ceiling phenomenon' (Campbell and Henry 1999, 95). Thus, the fact that women's performance in the public domain is hindered by their attributional difference from men continues to be recognised. However, instead of challenging the inequity of a societal system that favours one tendency over the other, self-serving bias continues to be normalised as ubiquitous. And the public domain that has developed through the exclusion of its alternative remains unscrutinised. This is a classic case of the FAE, attributing a negative outcome to an internal trait while ignoring situational factors, or as Stone would put it, a 'blame the victim' story. Discipline-wide, it becomes the UAE – a form of group serving bias – with the out-group (females) adopting the norms of the dominant in-group.

With the exception of research into teachers' attributions (where sex was largely ignored), female attributional tendencies have been treated in the pejorative, as deviation from the norm. Feminist critiques either called for a re-examination of AT (McHugh, Frieze and Hanusa 1982), which has not eventuated, or denied innate difference – in accord with the broader feminist movement at the time. McHugh *et al's* (1982, 476) suggestion that 'naturally occurring and spontaneous' attributions are more valid in understanding sex differences, aligns with Hewstone and Fincham's argument about spontaneous attributions more generally. To be fair, it is likely any attempt to embrace difference between the sexes would have doomed feminism to failure during that period, given the UAE. The denial of difference meant that female tendencies had to be understood as *learned*, rather than *innate* (Löchel 1983). This is despite the obvious contradiction that it manifests at the same age (early childhood) in girls as self-serving bias in boys, which *is* considered innate. In contrast, the FAE, which is also considered 'learned', does not manifest until adolescence.

The female attributional tendency was ascribed to socialisation of expected gender roles operating during the 1970s, when the difference was first recognised by social psychology. As the previous analysis indicates, the 'differences found in achievement motivation and attribution do not favour females' (Löchel 1983, 193), at least in the eyes of the researchers – both male and female. The descriptive terms used such as 'self-derogatory', 'esteem-attenuating', 'learned helplessness' and 'fear of success' are indicative of this attitude. Thus, female difference in attribution has been categorised as aberrant and is noticeably absent from current AT literature. The exception is limited to a few major concepts, including research into *depression*, *motivation* and *locus of control*, which omits mention of sex and generally focuses on negative outcomes. In all, as the discussion in the previous chapter implies, *self-serving bias* is not considered as one of two alternative tendencies but is unchallenged as universal in the AT literature. This is not only significant on the fundamental conceptual level, but has implications for the intermediate level, where the UAE has clearly led to this interpretation across the discipline. At the meta level, self serving bias – ego-protection-and-enhancement – underpin the understanding of self-interest which informs behaviour modification

techniques in policy, economic theory and the range of economic policy instruments, capitalism and both liberal and conservative ideals in resource allocation.

Re-conceiving the Female Attributional Style

It is clear from the AT literature, and more importantly, from everyday attributions, that differences between women and men exist. The source of this difference is important. If it is due to gender – learned through socialisation in a patriarchal society – then attribution modification programmes may be an appropriate response. However, if the difference is due to sex – is innate and natural, as this thesis argues – then there are profound repercussions. Not only in terms of sexual equity but in our understanding of the rationality project in public policy. To accept the premise of an alternative way of ‘being’, we first need to acknowledge the possibility of innate and *natural* difference between the sexes, beyond those of physical reproduction. Louann Brizendine (2007, 24), in *The Female Brain*, argues that the assumption of sameness during the twentieth-century is the basis for ‘enduring misunderstandings about female psychology and physiology’. Despite the difference in female and male genetic coding being less than one per cent, their brains are not the same (Brizendine 2007, 23). Technological advances in neuroscience over the past decade have revealed ‘structural, chemical, genetic, hormonal, and functional brain differences between’ males and females (Brizendine 2007, 27). On average, men’s brains are nine per cent larger than women’s but they both have the same number of cells, women’s are just more compact (Brizendine 2007, 23). However, ‘women have 11 per cent more neurons’ in the ‘centers for language and hearing’ (Brizendine 2007, 27). The centres for emotion, memory, language and reading others’ emotions are also larger (Brizendine 2007, 27). In contrast, men have larger centres for sexual drive, action and aggression.

Brizendine (2007, 27 and 29) argues that ‘[t]hese basic structural variances could explain perceptive differences ... [and] differences in the behaviour and life experiences of men and women’. As Langdridge and Taylor (2007) made clear, perception is a key element in attribution. All foetal brains

begin the same (female is the default) but the sexes develop differently (Brizendine 2007). Periods of high hormonal levels occur in utero and after birth, at key points though the developmental years. This difference 'defines our innate biological destiny, coloring the lens through which each of us view and engages the world' (Brizendine 2007, 37). Females not only have a greater capacity to communicate with others but also have a far stronger urge to do so. 'This is the result of millennia of genetic and evolutionary hardwiring that once had – and probably still has – real consequences for survival' (Brizendine 2007, 45). The female brain is perfectly suited to understand an infant's needs, to bond with other women for security and mutual support, and to read the behaviour of larger, more aggressive males. The ability to comprehend the emotions of others, to communicate and empathise, and an aversion to conflict, all equip women for motherhood, through a focus on relationships.

The differences between the sexes in brain development and function clarify and reinforce our understanding of attributional differences. In attributional terms, an innate sense of *responsibility* for adverse outcomes is vital to nurture a helpless newborn. The internalisation of negatives is central to this survival response. Bonding with offspring, building relationships and creating shared meaning within one's group requires co-operation, not competition. The externalisation of positives (often crediting others for their role in our success) builds affiliation to ensure security and support. The biological differences – in concert with environmental factors – shape our perception, our existential experience of the world and our understanding of, and response to, the other people in it. This leads to a difference in behaviour towards others. Identifying this difference is not intended to ignore or deny the diverse range of lived experience. Sex differences in behaviour are not necessarily so distinct. Females may exhibit a 'male' attribution style and males may exhibit a 'female' attribution style, or fall some point on the continuum between the two positions. But despite this continuum, generally the difference holds. The female brain is developed '[t]o forge connection, to create community and' to maintain relatedness (Brizendine 2007, 54). The fundamental biological differences between the female and male brain help explain the early onset

of sex differences in attributions. These differences, in conjunction with the onset age – the same as self-serving bias in boys – should finally dispel the fiction that the female attributional style is detrimental or solely a product of socialisation.

Self-serving Bias and the Rationality Project

The recognition of two equally ‘natural’ attributional styles has profound repercussions for the meta-narratives that form the foundations of public policy. How an individual perceives the world and how this perception influences their subsequent interactions with it (both socially and environmentally) has implications beyond individual behaviour. The ontology, epistemology and structure of society are shaped by the perception of the people who exercise power and control within it. As Ross argued more than three decades ago:

[any] bias in his assumptions and procedures may have serious consequences, both for the lay psychologist himself and for the society that he builds and perpetuates (in Langdridge and Taylor 2007, 79).

Identifying self-serving bias as masculine demonstrates the first proposition of this thesis, that the dominant paradigm is framed through masculine subjectivity. The rationality project is intrinsically masculine. However, this analysis undermines the classic defence of this situation because the masculine attributional style is no more ‘rational’ or ‘logical’ than the feminine. What is presented as ‘rational’ simply functions to mask this fact (the second proposition) because the impulse for this defence – self-serving bias or group-serving bias – is anything *but* objective and rational. However, it also opens a way for change: a balanced conceptualisation that may well lead to new processes and structures. Thus the third proposition: that an alternative perspective is required to identify the biases embedded in the structures, systems and values of public policy, government and the broader society. Without an ego-mitigating challenge, self-serving bias will continue to reinforce and maintain itself. This takes Stone’s insight one step further, from critique and analysis to understanding and amelioration.

In order to develop this understanding, the following discussion will expand on the link between personal and group attributions, demonstrating the links between the three conceptual levels. This in turn reveals a link between self-serving bias and the FAE, strengthening the argument that patriarchy is alive and well in public processes. Next, the current knowledge of factors which moderate or exacerbate attribution bias will be applied to the policy paradigm. Consideration of exacerbation cycles operating at the societal level bring to light how dysfunctional communities emerge. Applying this new perspective to the previous synthesis of Stone and AT offers an alternative understanding of the rationality project. Finally, the discussion leads us back to community development, where this thesis began, and the positive focus given expression in transformative principles, as the basis for a new paradigm in public policy as a whole.

Despite the obvious similarities between group and individual bias, the AT literature tends to deal with them separately. Group-serving bias reflects self-serving bias (positives are internalised and negatives are externalised). The FAE also reflects the UAE (negatives are attributed to internal traits of the other person or out-group). Clear links are drawn between group-serving bias and the UAE. They are considered as two sides of the one coin. Mapstone's (1995, 79) description, that 'the more powerful group tends to claim highly valued qualities as its own and to assign to "out-groups" other virtues which it is useful they be forced to adopt' articulates what many social psychologists have observed. The harsh judgement of out-group members is clearly a product of group-serving bias. However, no such link has been made between self-serving bias and the FAE. This may be due to the assumption (in the cognitive approach to social psychology) that people judge others comparatively – in relation to what others might do – rather than subjectively – in relation to themselves. Langdrige and Butt have dispelled this assumption of objectivity, returning to Heider's original position: that we judge others based on our own experience. They postulate that the FAE is a product of the assumption of objectivity. However, the acceptance of two naturally occurring attributional styles reveals a far more persuasive explanation:

The FAE is a product of *patriarchal society*: the naturalisation of self-serving bias and the exclusion of its alternative – the female attributional style – from the public sphere.

Definition of patriarchy

Previously in this thesis, patriarchy was defined in a broad, contemporary way as ‘a system of society or government in which men hold the power’ (*OED* 2013). However, this analysis has revealed a much subtler, pervasive and latent form of patriarchy. Its roots reach deep into the past, shaping the accepted norms, knowledge systems and institutions of today. These socio-political structures are imbued with the subconscious biases of the people who established them – self-interested men – and they perpetuate themselves by functioning like self-interested men. This analysis reveals that:

Patriarchy is *process*: the institutionalisation of self-serving bias.

The tendency to internalise positives and externalise negatives is prevalent in western structures, institutions and norms. This demonstrates that hierarchy, class, colonisation and the inequality they create, are all consequences of patriarchy, because they can only be justified by self-or-group serving bias. The implications go far beyond the access of women to equality and positions of power, it undermines the very legitimacy those *structures of power*. These structures clearly encourage and reinforce self-serving bias. They facilitate group-serving bias and the UAE, imbuing the dominant paradigm with masculine subjectivity. The natural, countervailing influence has been excluded from the public sphere. The entry of women into the public sphere has not reduced *patriarchy as a process* but has actually reduced the influence of feminine values – once enshrined in the private sphere – on the broader society.

A society whose structures foster the harsh judgement of others is highly likely to induce exacerbation cycles in people who internalise negatives. Indeed, as discussed in the previous chapter, it can even create self confirming cycles in people who might usually externalise negatives. In the first example (a child prone to sleeplessness or stuttering), the child undoubtedly picks up cues from adults as to the cause of the ‘problem’. In the second example – a man treated as hostile

and persuaded to attribute this to an internal trait – the external influence was more explicit. In both cases, the undesirable behaviour was reinforced by the attributions of others, and in the second example, even carried over to interaction with other people. It is also clear that exacerbation cycles function at group and societal levels. The exception found to group-serving bias – the marginalised group whose members attributed their situation to internal factors – is indicative of the FAE and the UAE inducing exacerbation cycles at the group level. And there is every indication that the ‘learned helplessness’ experienced at the individual level, also operates at the group level. William Bostock (2000) has argued that the social breakdown found in severely disadvantaged communities is an indication of ‘group depression’.²⁰ Group depression – like individual depression – he argues, is a product of ‘learned helplessness’. From this perspective, the high incidence of alcohol and other forms of drug abuse in disadvantaged communities is considered a form of ‘self medication’. However, ‘learned helplessness’ might more correctly be termed ‘socially induced helplessness’ given the prevalence of the FAE and UAE in western societies. This clearer understanding of social anomie has significant implications for the plight of all marginalised groups. This is expanded in the next chapter, when we consider policy makers’ attributions of Aboriginal peoples.

However, attributional bias can also be moderated. As discussed in the previous chapter, empathy can actually lead to a fairer judgement than assumed ‘objectivity’. Self-serving bias tends to increase in the company of one’s peers but can be moderated simply by knowing that your self-judgement will be considered by ‘prestigious experts’. More recent research has demonstrated that unconscious bias can also be moderated at the unconscious level (Glaser and Kihlstrom 2005). Glaser and Kihlstrom (2005, 188-89) found in ‘a passive process like stereotype activation ... people can unconsciously monitor and correct for bias in judgements, just as they might consciously’. This shows how people who are aware of stereotypes can manage to stop them shaping their attributions. While moderation is unlikely if self-serving bias continues to be normalised, an authoritative challenge to this conception offers hope. The acceptance of an alternative attributional

²⁰ Explained on page 43.

style may prove to be a moderating factor. It is also likely that self-serving bias is more obvious to someone who is not prone to it. Thus my third proposition: that an alternative perspective is required to identify the biases embedded in society. Stone's clear description of the rationality project may well be due to her different perception of the world. Thomas (1989, 567) described this as her 'preference for intuitive activities'. This comment may have been meant as an insult but I consider it a compliment.

It is impossible for societal structures not to influence the structure and processes of public policy. Indeed the rationality project rests squarely upon three pillars that reflect the masculine attribution style and excludes the feminine. The market model of society is based on the assumption of *rational self-interest*. The inclusive conceptualisation of attributional styles reveals that self-interest is neither rational nor ubiquitous. This brings the heavy reliance on economic policy models and instruments into question. Both Nozick and Rawls's conceptualisations of equality, which encapsulate conservative and liberal ideals, are based on the notion of self-interest as all-encompassing. Stone (2002, 39-42) uses the metaphor of the cutting of a chocolate cake to illustrate the strategies used to mitigate self-interest and the challenges these strategies evoke. However, this example does not reflect the experience most of us have as children. When someone's Mother cuts the cake, all receive an adequate piece, and the person most likely to miss out is the one with the 'power': the one holding the knife.

The second pillar, the model of reason, rests upon the rational decision making model but this is severely undermined by group and individual bias. Rational decision making employs objectivity to mask – rather than to alleviate – its inherent weakness. The homogeneity of policy professionals – in education and social background – also extends to attributional tendencies. The very nature of the structure, and the process for entry into it, validates one form of attributional style and negates the other. Parliamentary decision making is intrinsically adversarial: conflict and contest are normalised. It is assumed in AT that the desire for 'order and control' is ubiquitous but the alternative –

conciliation and compromise – would serve the collective decision making process far more effectively. Conflict and competition creates the need for secrecy in decision making processes (i.e. Cabinet meetings) that can facilitate groupthink. And directive leadership (the sole prerequisite for groupthink) is more likely in contested, adversarial contexts.

The third pillar, the production model, uses stagist approaches like the policy cycle to lend legitimacy to the process while ignoring the real nature of the decision: the struggle over ideas. This struggle is conducted in a framework and through a process that excludes the values and denies the existential experience of the majority. As Stone points out, the purpose of defining the problem and identifying the cause is the allocation of blame. Thus, the process is fuelled by the FAE and UAE, from an impulse to maintain ego, not to find a 'solution'. Problem identification, as the primary focus of the policy cycle, may well form a key step in the development of exacerbation cycles that create social dysfunction.

Attribution analysis – Community Development

It is clear that the major aim of ABCD and WCO is to build relationships to foster trust, mutual support and respect. These are the tendencies identified by Brizendine as 'feminine'. While their conceptualisation of the source of community breakdown differs from mine, these models are attempting to balance self-interest with relatedness. Much of the literature reviewed can be understood in terms of AT and the rationality project. In *The Careless Society*, McKnight (1995) argues that the professional has the ultimate power: the prerogative to define the question. Thus, the remedy defines the need. This is a service level example of what is known, at the policy level, as a solution looking for a problem (Bridgman and Davis 2004). Stone (2002) argues that defining the problem is not about notions of cause, it is about attributing blame or in AT terms, externalising responsibility. Normal life stages have become problems to be addressed. McKnight (1995) recognises that assumptions of need are disabling. They ignore the context in which they are created, situating the deficiency 'in' the client. This is classic FAE, with the negative attributed to an

internal characteristic of the person and situational (external) factors given too little weight. The operation of exacerbation cycles tells us why assumptions of need are disabling. If the 'client' is encouraged to internalise the negative attribute, they are likely to display and perpetuate that attribute. This reinforces the belief that it is internal, exacerbates the 'problem' and in turn reinforces the need for professional 'help'. This process is writ large upon western societies. It shapes a worldview that defines our lives and societies as problems. Its disabling influence on politics is clear, reducing civic engagement and its efficacy.

Illich's critique of the education system (McKnight 1995) might also be extended by insights from AT. It has been demonstrated that self-serving bias is exaggerated within a group of one's peers. Perhaps the standard classroom structure, with groups being divided by age, exacerbates self-serving bias at the point when it first manifests, retarding maturity. This would be even more pronounced in the private 'all boys' schools that have shaped the majority of today's elites. Indeed, as Paxman (2012, np) points out:

Victorian public schools were designed to work against the comforts of family life ... 'The chief thing to be desired', said one headmaster [of Rugby School], 'is to remove the child from the noxious influence of home'.

Presumably, this 'noxious influence' was feminine, which was confined to the private sphere.

Kretzman and McKnight (1993) explain how the needs-based focus in community development creates a cycle of dependence. This can also be understood as an exacerbation cycle operating at the group level. Focusing on deficits can lead people to live down to low expectations, adopt oppositional strategies and, in extreme cases, it can create 'collective depression'. ABCD proposes three principles to address these challenges (Kretzman and McKnight 1993; Mathie and Cunningham 2002). Focusing on assets stops the 'blame the victim' cycle, the positives identified through asset mapping can be internalised and become the seeds of aspirational capacity development. The endogenous approach ensures that external stakeholders are not reactivating the cycle of negativity through the FAE. The third principle, recognising the importance of relationships *as* assets, flies in

the face of the accepted wisdom of objectivity, rationality and self-interest. It demonstrates that the only way to heal a malady created by an imbalance at all levels of society is by reintroducing the element that has been missing: by reinstating balance.

Glover Reed (2005, 98) cautions that theories are 'likely to reflect the biases and worldview of those with more power in society'. This is clear in the normalisation of self-serving bias. However, the effect goes much further. All theories portrayed as objective and rational, without reflection upon the subjectivity of the theorist or the researcher must necessarily mask their subconscious biases. Tesoriero (2010, 38) argues that the dominant paradigm reinforces patriarchy. This analysis illustrates how the dominant paradigm was actually *produced by patriarchy* and demonstrates the unconscious process that maintains it. Western societies tend to portray themselves as progressive in terms of equity – gender, ethnicity etc – this analysis puts the lie to such claims.

The influence of social psychology is clear in transformative community development. Mathie and Cunningham (2002, np) even use terminology that resonates with AT. For example, they note that focusing on negatives can lead people to 'internalize this negativity'. Aigner, Raymond and Smidt (2002) define community as being primarily about relationships, demonstrating that this idea is persistent and widely shared. Having built strong relationships within communities, they still have to deal with private and public systems that are shaped and maintained by unmediated self-serving bias. Aigner, Raymond and Smidt (2002) articulate the incongruity in trying to build relationships while assuming self-interest is pervasive. As they explain (Aigner, Raymond and Smidt 2002, 93):

... by addressing the whole community, including people of different class, race, ethnicity, religion, 'ablement,' and age, the 'self-interest' on which direct organizers focus as they stir up anger and righteous indignation, may expand to take in the *other*, i.e. those whom the organizers objectify as the 'target.'

These contradictory impulses reflect the tension between the urge for relatedness and the competitive drive of self-interest. The first is vital in strengthening the ties that bind community and create the foundations to build capacity. The second illustrates that because self-serving bias shapes and maintains public processes, even at the grassroots level, the discourse immediately reverts to

assumptions of conflict and self-interest. This passage also illustrates how destructive oppositional strategies can be, even with the best intentions. The objectification and *othering* described, which maintain the fault lines of difference (and therefore determine inclusion and exclusion), reflect the UAE and group-serving biases. Their descriptions of *oppressive* and *defensive othering* resonate with the process of exacerbation cycles. Oppressive *othering* arises from the FAE or the UAE, while the ‘target’ internalises the negative attributes and fulfils them. Defensive *othering* is not simply a product of out-group internalising negatives. It arises from the in-group externalising negatives. Out-group members seek to disown the negative traits associated with their group or identity. Alternatively, defensive *othering* may arise out of the impulse for inclusion – from the need to be accepted by the dominant group – for oneself and one’s offspring.

Attribution theory offers an understanding of the process at its most fundamental level. The exclusion of relationship-oriented bias from the structure and function of western society enables the processes of *othering* to flourish under the unmitigated influences of self-serving bias. Conceptualising the process of *othering* in these terms illustrates how both the oppressor and the oppressed are trapped within a societal structure that lacks the balance to mitigate self-serving tendencies. This balance is needed to ensure that the things that bind us take precedence over the things that separate us. To counteract *othering*, the subconscious tendency that triggers it – and the societal structure that reinforces that tendency – need be recognised. Attribution theory offers a straightforward alternative to a conceptualisation of *othering* as a complex, intentional and multi-dimensional process.

Theories on inequality, such as *othering*, are generally couched in terms that imply intent. For example, Aigner, Raymond and Smidt (2002a, 96) cite Schwalbe *et al*’s (2001) explanation that:

the generation of inequality is caused by exploitation, which in turn depends on *othering* – that labelling of a to-be-exploited group as somehow different and inferior to the manipulative group of exploiters.

AT demonstrates that *othering* can occur without conscious thought. Explanations assuming intent are likely to engender oppositional strategies in response – the very reaction the authors are attempting to avoid. As Aigner, Raymond and Smidt (2002a, 96) also point out:

Whole community organising necessitates that people form relationships across lines of class, race, ethnicity and gender ... After reflecting upon their relationships and their lack of 'community,' those who othered/oppressed other groups may confront the reality of the present and the options of the future with those they othered/oppressed, and collectively, all groups may commit to new processes that liberate everyone.

However, one of the mitigating factors identified in AT is also recognised:

Empathy, a precursor to caring and compassion, may develop when relationships between those on the margin and allies are formed. People may begin to realize that they share a mutual fate and, with facilitation, old cleavages and violations of trust can be repaired (Aigner, Raymond and Smidt 2002, 93).

AT research has demonstrated that promoting empathy can mitigate the tendency to judge others more harshly than we judge ourselves. Aigner, Raymond and Smidt (2002) contend that mutual respect has the potential to transform adversaries into allies, with shared vision and a sense of ownership over the process. However, the success of this approach depends on the inclusion of all community members, not just the 'target' group. All too often, the definition of community – for the purposes of development – reinforces these divisions instead of dissolving them. Therefore, for lasting change at the community level, transformational community development principles have to be integrated into the broader society and its structures. The historical, political and social divisions between marginalised groups and mainstream society will not be dismantled without this change.

Conclusion

Self-serving bias and the FAE, and their collective counterparts, group-serving bias and the UAE, are evident in the 'art' of public policy described by Stone (2002). The acceptance of self-interest has become so pervasive within western democratic states that it is no longer challenged. Indeed, major influences on public policy – free market ideology and economic theory – rest upon its assumptions. This chapter has demonstrated how sexual discrimination prevalent during the formative years of AT distorted its understanding of sex differences in attributions. This point was illustrated by an analysis

of research into differences between female and male attributional styles, using AT as the framework of re-evaluation. New findings about physiological difference in the human brain between the sexes have also shed light on the natural differences in behaviour. The recognition of an equally valid (and essential) mode of being brings into question the validity of self-serving bias as 'ubiquitous'. It is clearly an example of masculine biases, reflected in public structures and, is therefore, the *process of patriarchy*.

However, attributional biases are not inevitable. They are amenable to influence, both internal and external, that can either moderate or exacerbate them. A re-conceptualisation of the attributional tendencies evident in western public policy suggests that balance needs to be restored. The inclusion of the female attributional style as an equally valid experience may serve to ameliorate the biases that impair judgement in public policy decision making. This is particularly apparent at the community level, where the importance of relationships and affiliation make assumptions of self-interest nonsense. Transformative community development models actively strive to counter self-interest, putting relationships centre stage. These lessons provide a blueprint for public policy.

The first half of this thesis has adopted the alternative perspective offered by transformational community development to step outside the conventional 'frame' of public policy to see with fresh eyes. This viewpoint privileges relationships, equality and positives in contrast to standard government mores of arms-length dealings, merit based inequity and problem solving. Thanks to the insight of Deborah Stone and the understanding of human behaviour introduced by Heider and developed by an array of AT scholars, these bastions of the 'rationality project' are undermined. Their claims to legitimacy cannot be sustained and their inherent inequality is exposed. This final chapter in Part I has synthesised the depth and breadth of knowledge assembled in the previous chapters. The dialectic method has enabled the inclusion of complex concepts and the layering of perspectives in a multi-dimensional analysis. This has traversed three conceptual levels to demonstrate the interrelationship between them. The masculine attributional biases observed at

the fundamental level of individual behaviour are reproduced at the intermediate level of group behaviour AND imprinted on the meta-level as universal. This not only shapes acceptable behaviour but imbues the institutions of government and society with destructive forces. By drawing from three primary disciplines and employing concepts from others (e.g. existential phenomenology, psychology and a spattering of feminist critique) this analysis has re-conceptualised the dominant paradigm. Stone's narrative analysis, complemented and extended by *sex differentiated* attributional analysis, offers a powerful framework to examine public policy. This framework – attribution analysis (AA) – is tested in the second half of this thesis: a case study of the decision to impose paternalistic, draconian measures on Indigenous communities in Australia. This demonstrates how the *process of patriarchy* operates within the dominant paradigm to produce (and reproduce) dysfunctional policy.

Part II: The Case Study

Background to Indigenous Policy

In 2007, a national emergency was declared in Indigenous communities in the Northern Territory. A report commissioned by the Northern Territory government had found evidence of widespread child abuse. The Commonwealth government launched the Northern Territory Emergency Response (NTER), announcing that police and army personnel would be dispatched immediately (Howard 2007). The move introduced the most sweeping changes to Indigenous policy in over four decades (Hinkson 2007). It has also been described as discriminatory and paternalistic (Altman and Hinkson 2007). In order to contextualise the policy, this chapter begins by stepping back in time. A brief background into the history of Indigenous policy across Australia demonstrates the continuity of attribution bias shaping various phases. In the Northern Territory, these broad trends played out in a particular way. An overview of recent trends in Indigenous policy concludes with a pilot study conducted in Queensland, which clearly influenced the NTER. Finally, a discussion of child abuse, from the report that triggered the NTER, contextualises the ‘problem’ and sets the stage for the next chapter.

The Policy Context

In Australia, Indigenous policy has followed a similar pattern to other countries ‘settled’ under the British Empire, except for one key element: the absence of any recognised treaty. Historians have yet to adequately explain this omission but from a policy perspective it bears all the hallmarks of what Bachrach and Baratz (1970) call ‘non-decision making’. Historical interpretation of Indigenous-settler contact relations has been polarised in Australia over the last decade.²¹ One extreme denies the worst excesses of violence and dispossession, citing good intentions but unforeseen outcomes. While the other embraces the darker aspects of colonial invasion, calling for reparation for past

²¹ Known as the ‘History Wars’ – with Henry Reynolds and Keith Windshuttle the main protagonists. See Clendinnen, I 2003, ‘Dispatches from the History Wars’ *Australian Financial Review*, 31 October 2003, p. 4.

wrongs. These two positions are relevant in current policy and politics as they underpin the two alternative perspectives explained by Stone (2002): conservative and liberal politics. The previous chapter demonstrated that these alternatives are not as diametrically opposed as they have been portrayed. They both assume self-interest as the primary factor motivating human behaviour; they are both encapsulated within the masculine frame. To show how persistently masculine attribution bias has shaped Indigenous policy, this analysis considers the bigger picture, rather than simply setting the political 'scene'. It also demonstrates how constructions of the past shape our perception of the present, and vice versa.

Sexual 'Othering'

Prior to colonisation Aboriginal society was egalitarian, not just socially, but within the wider environment (Etienne and Leacock 1980; Flood 1983).²² The fabric of society was based on balance, relatedness, responsibility and reciprocity, with age, knowledge and the capacity to 'hold' (provide and care for) others the basis for authority and respect (Bird Rose 1992; Folds 2001; Sansom 1991). The impact of colonisation by a hierarchical society was profound (Behrendt 2000; Evans 1982; Maddison 2009; Robert 2001; Williams and Jolly 1992). The earliest colonial observers of Aboriginal society assumed it was patriarchal, like their own (Bloodworth 2006). Issues of cross-cultural communication compounded misunderstanding. In determining gender relations in Indigenous Australian society, pre-historians necessarily rely on these early accounts (Williams and Jolly 1992). Archaeological evidence of cranial trauma and defensive wounds on female skeletal remains has also been used to substantiate claims of family abuse as part of pre-contact Indigenous culture (Sutton 2009). This argument might say more about the researchers than the researched but the issue remains contested. As Sarah Maddison (2009, 189) argues, there is no way to be certain if women were 'victimised in traditional culture'.

²² Referring to 'egalitarian' as the lack of hierarchy in social organisation, while recognising the distribution of knowledge (and therefore relevant authority) was determined along lines of relationship, age and gender (Berndt and Berndt 1988).

What is known is that women were integral to Aboriginal economy, bringing in most of the food (Berndt and Berndt 1988). They also exercised considerable authority over social relationships, which formed the basis of links to land and shaped group politics (Bell 1980, 1983). But white observers described women as 'slaves' to their husbands (Bloodworth 2006; Robert 2001). Like men, women were subject to the law, and were punished for their transgressions. White observers described this as barbaric brutality. Women were autonomous, not chattels of their husbands (Bloodworth 2006). White observers described their sexual freedom as prostitution – assuming control rested with their husbands. Sexualised stereotypes of Aboriginal women became widely held. Evans (1982, 11) argues the portrayal of 'Aboriginal women as dirty, sinful, animalistic, ugly and so on' served to legitimise their mistreatment at the hands of white men. 'Calling women animals gave them licence to treat them as animals' and externalised the responsibility for that treatment onto the victims (Evans 1982, 11). An example was Summerfield, arguing '[t]he native is truly the cruellest animal in the world with women ... Anything you can do is nothing' in comparison (Robert 2001, 73). The development of the discipline of anthropology made little difference to this form of *othering* and in many cases reinforced it. The gendered nature of Aboriginal knowledge meant that no countering voices were heard until female anthropologists commenced fieldwork (Bloodworth 2006; Williams and Jolly 1992). But the sexualised assumptions and stereotypes are persistent. In the 1980s, reports of senior police officers responding to rape complaints from Aboriginal women with the comment 'you can't rape a coon' were still all too common (Behrendt 2000, 362). Many Aboriginal women have internalised these negative stereotypes, and they are not alone. Judy Atkinson (1994) asserts:

colonised men take on the behaviours and attitudes of their male colonisers, and in so doing, act in collusion to further oppress colonised women. In this way, Aboriginal and non-Aboriginal men work together to establish the structures of patriarchy within the newly colonised societies (in Behrendt 2000, 362).

The influence of these stereotypes went beyond the social sphere. The control of Indigenous women's sexuality and reproduction were central to all policy initiatives until the 1970s (Robert 2001).

Protection

There have been several broad trends in Indigenous policy in Australia's relatively brief history since colonisation, all with inherent contradictions. Just over two centuries ago, the Colonial Office instructed the first colonists to 'conciliate' the Aborigines (Aitken 2009). This was a contradictory directive, given that in 'settled' nations colonisation necessarily entails the dispossession of the original inhabitants. This phase was followed by 'Protection', arguably the first serious policy, given the expenditure entailed. Protection involved the confinement of Aboriginal people on 'missions' or 'reserves'. First implemented in Tasmania, Protection was ostensibly to protect Aborigines from frontier violence (Reynolds 2001). However, the primary motivation was settlers' safety, and the viability of the Van Demonian colony itself. They were gathered and confined on an island in Bass Strait. It is worth noting that the Protection policy was introduced only *after* a small scale pilot had demonstrated the appalling mortality rates from this form of confinement (Aitken 2009; Plomley 1966). The outcome in Tasmania has been widely accepted internationally as genocide. However, in Australia it has been explained by many as a 'perverse' policy outcome (Aitken 2009; Reynolds 2001): the opposite of the one intended (Hirschman 1991). If this were the case, the policy would have been altered or stopped. Instead, the same policy (without alteration) was introduced into Victoria by the same 'Protector' employed in Tasmania, expelling any suggestion that the outcome was undesired. Protection was successively rolled out across all the colonies, following the 'frontier' as it spread across the country (Reynolds 2006). The survival rate did not markedly improve. Most early missions and reserves closed within three to 15 years, due to falling population numbers (Peterson, McConvell, McDonald, Morphy and Arthur 2005, 102). Living 'under the mission bell' with every area of life strictly controlled – both spatially and temporally – resulted in the institutionalisation of the inmates, creating dependency (Attwood 1989). The policy issue came to be defined simply as the 'aboriginal problem', which referred, in short, to their existence.

The narrative of the 'doomed race theory' became employed to 'blame the victim' for the policy outcome. Russell McGregor (1997, ix) argues in *Imagined Destinies: Aboriginal Australians and the*

Doomed Race Theory, '[e]xtinction was regarded as the Aboriginals' inescapable destiny, decreed by God or by nature'. This assumption was supported by nascent scientific theories – 'a science of inherent racial attributes' (McGregor 1997, 2) – which enshrined racism as scientific orthodoxy. These hierarchised notions of race became conflated with ideas of 'progress'. The inability of Aborigines to 'advance' meant they were doomed to extinction. The cause was attributed to their 'primitiveness', an internal characteristic: the ultimate attribution error (UAE). Some believed Aborigines were 'the debased remnants of a formally civilised people' and extinction was the logical conclusion to the 'degenerative process' (McGregor 1997, 14). However, such racist ideologies did not go unchallenged. Dawson wrote in the 1830s that not all white people 'entertain these degrading and absurd opinions' (McGregor 1997, 10). In 1892, Donald MacKillop, a Jesuit missionary in the Northern Territory, rejected the notion that their predicted doom was due to any 'unfitness on the side of the aborigines' (McGregor 1997, 60). He attributed their fate to 'the pride and greed of "the Anglo Saxon race"', arguing that '... the fate of the aboriginals was a matter of human responsibility' (McGregor 1997, 60). The motivation of self-interest, resulting in the externalisation of responsibility, was clearly recognised and challenged by contemporary commentators.

But as McGregor (1997, 14) notes, 'for the majority of colonial commentators there appears to have been something irresistibly attractive in the notion of inevitable Aboriginal extinction'. This attraction is explained by colonial imperatives that aligned the self-interest of all strata of colonial society against those of the original inhabitants. The doomed race theory was a clear example of the *ultimate attribution error* (UAE): attributing positive traits to the in-group (superiority) and negative traits to the out-group (primitiveness). The inherent value of 'progress' was beyond question, as an indication of the superiority of the *in group*.

Segregation

When Protection began to encompass 'Segregation', the definition of the *problem* did not change, just its demographic dimensions (Reynolds 1989). The 'mixed-race' population was growing and

Segregation was formulated to mitigate that growth. At the most basic level, the policy was about the control of Aboriginal women's sexuality (Attwood 1989; Bartlett 2004; Behrendt 2000; Robert 2001). Queensland legislation – *The Aboriginals Protection and Restriction of the Sale of Opium Act, 1897* (Reynolds 1989) – would influence Segregation policy across Australia. The title and focus of this Act maintained the 'pretence of separation' by masking the real concern: miscegenation and its outcomes (Robert 2001). As the name suggests, Segregation removed all Aboriginal people to reserves, unless otherwise 'exempt'. Reasons for exemption included: employment (under the provisions of the Act); marriage to a non-Aboriginal husband, or; holding a permit (Reynolds 1989). The inherent contradiction in Segregation was the apprenticeship scheme that provided cheap labour to 'white' employers. It is estimated eleven per cent of girls apprenticed into domestic service left that employment pregnant. In 1934, the Queensland Governor claimed that 95 per cent of girls sent into domestic service fell pregnant to white men (Evans 1982). Despite the obvious power imbalance, the men were not blamed. Governor Wilson held the girls and young women responsible:

The blame must rest, to a large extent, on the native girls who, by temperament, and a desire to have a child by a white father, encourage white men in every way (in Evans 1982, 18).

Thus, Wilson neatly externalised the increase in half-caste numbers onto the internal characteristic of promiscuity in Aboriginal females. Despite the increase in the 'mixed-race' population, the 'full bloods' were still expected to 'die out'. Indeed, the doomed race theory would hold sway at least until the 1950s (McGregor 1997).

Assimilation

This growing 'mixed-race' population was the focus of biological 'Assimilation', which was proposed at the Aboriginal Protector's conference in Canberra in 1937. The West Australian Protector of Aborigines, A. O. Neville, defended this radical proposal by asking the unthinkable: 'are we going to have a population of one million blacks in the commonwealth?' (Manne 2001, 40). The problem definition had not altered: but the solution had. Neville's (1947) scheme to 'breed out the black

strain' involved the systematic removal of Aboriginal children from their families. The intention was to stop the transfer of Aboriginal culture, making them acceptable in 'white' society: making young Aboriginal women acceptable to lower class white men. Once again, an internal, negative characteristic of the victim was the problem. Photographic depictions of three successive generations proved that physical Aboriginal characteristics could be effectively eradicated through interbreeding. This plan was interrupted by World War II and by the end of the conflict political attitudes to race had radically altered (Manne 2001). The plan akin to eugenics was officially dropped and the rhetoric of Assimilation changed to the integration of Aboriginal people within the broader population. The policy content barely altered (Gumbert 1984). Assimilation continued to work hand-in-hand with Segregation/Protection policies. Hollinsworth (1996, 116) argues that the 'racialised social hierarchy' introduced by colonisation and legitimised by science in the doomed race theory 'shaped Australian race relations until the 1960s'.

Indigenous Policy in the Northern Territory

The Northern Territory occupies the top half of a central slice of the continent.²³ In the context of Indigenous Affairs, the Northern Territory differs from other Australian states. The Commonwealth government, which came into being at Federation in 1901, exercised jurisdiction over the Northern Territory between 1911 and 1978 (Dow and Gardiner-Garden 2011). It still retains the power to enact law in Australian territories through its plenary powers, under section 122 of the Constitution (Harris Rimmer, Jagers, Spooner, Magarey, Neilsen and Gardiner-Garden 2007). Under the Constitution, jurisdiction over Aboriginal people rested with the states. The Northern Territory was the only instance where the Commonwealth government played an active role in Aboriginal policy. Demographically, Indigenous people today make up only 2.5 per cent of the national population but in the northern Territory they constitute almost 32 per cent (Australian Institute of Health and Welfare 2008, 4). The 'frontier' arrived relatively late to Northern Australia, particularly in the most remote regions. One of the last moments of 'first contact' occurred in the Northern Territory, when

²³ See map in Appendix 1, on page 258.

the last 'traditional' Pintubi person was 'brought in' in 1965 (Prentis 2008). This has social and demographic implications for people in these remote situations. Western culture has had less time to influence Aboriginal languages and cultures and there are more discrete communities in northern Australia.

Paradoxically, the coastal areas of the Northern Territory were also the earliest sites of 'first contact'. Groups such as the Yolngu and Yanyuwa were trading with Indonesian seafarers for centuries prior to British colonisation (Stephenson 2007). Close ties were forged with the Macassans during their seasonal visits to harvest trepang (or sea cucumber) for the Chinese market. While there is ample evidence of cultural adaptation in response to this interaction, any difference in the Aboriginal way of life was considered minimal by the early British arrivals (Stephenson 2007). Previous contact did prepare these groups for contact with these colonisers. Rebe Taylor (2008, 227) notes the description of the Northern Territory as 'Australia's last frontier'. In the early 1900s, racism, which operated largely through latent social exclusion in southern regions, was still 'blatant' in the northern Australia (Taylor 2008, 227). Thus, Aboriginal people in the Northern Territory are both more visible and more culturally distinct, in a region where the 'frontier' is within living memory.

While occurring later, the north followed a similar pattern of contact and conflict as that experienced in areas settled earlier. Aboriginal people dealt with the initially small number of new arrivals through trade and social accommodation. Once large numbers of cattle were introduced by overlanders along Leichhardt's coastal trail in the 1880s, conflict soon erupted (Broome 2010, 111). Cattle grazing degraded, displaced or destroyed traditional food sources. When Aborigines turned to this new source of food, retaliation followed. Official punitive parties attempted to 'disperse' Aboriginal people. Vigilante parties, equipped by local officials, retaliated against Aboriginal attacks. It is estimated that the violence that ensued brought about 'over 400 Aboriginal violent deaths at white hands in the Gulf region – a ratio of white to black deaths of 1 to 20' in the final three decades

of the nineteenth-century (Broome 2010, 112). There was little sympathy or justice for Aboriginal people accused of any crime. The *Northern Territory Times* advocated:

Shoot those you cannot get at and hang those you do catch on the nearest tree as an example to the rest; and let not the authorities to be too curious and ask too many questions of those who may be sent to perform the service (Broome 2010, 111-12).

Massacres of Aboriginal people are officially recorded as late as 1928, when police led retaliations at Coniston (Prentis 2008, 57). The constable in charge admitted to killing 31 people but an inquiry the following year found the killings were justified.

At Federation in 1901, the Northern Territory was administered by South Australia, the state sitting directly beneath it on the map (McGregor 1997). Despite a Protection Bill being drafted in 1899, it would be over a decade before an Act governing the Aboriginal population passed the South Australian Parliament. Pastoralists, a powerful interest group, where opposed the Bill, guarding their privilege to employ Aboriginal people for rations. The *Northern Territory Aboriginals Act*, which passed in 1910 – just months before the Commonwealth government assumed control of the Northern Territory in 1911 – upheld that privilege (McGregor 1997, 76). An *Ordinance* was added in 1911. The legislation was ‘closely modelled’ on the Queensland Segregation Act, giving the Protector ‘care, custody, or control of any aboriginal or half-caste’ (Gardiner-Garden 2011a, 3) with primary focus on regulating Aboriginal employment, establishing reserves and restricting miscegenation (McGregor 1997, 76). Employers of Aboriginal people would need to be licensed as ‘fit and proper persons’ and wages were set, a portion of which would be paid to the Protector ‘for investment in the aboriginal’s name’ (McGregor 1997, 77). The Aboriginal wage was one-eighth of ordinary wages (Broome 2010, 124). However, in the pastoral industry Aborigines would continue to work for rations (McGregor 1997).

The Commonwealth demonstrated its enthusiasm to address the ‘Aboriginal problem’ in the Northern Territory by appointing Walter Baldwin Spencer as the first ‘Special Commissioner and Protector of Aborigines’ (McGregor 1997, 62). He took up the post early in 1912. Born in Britain, at

the time of his appointment Spencer was Professor of Biology and president of the Professorial Board at Melbourne University. A recognised expert in the emerging discipline of anthropology, he had been involved in three major expeditions to central and north Australia (Mulvaney 2005). Although Spencer only held the post for a year, he was involved in drafting the 1911 *Ordinance* and would influence the agenda in Aboriginal policy in the Northern Territory for over a decade, continuing to write official reports. Spencer's attitudes were firmly entrenched in the 'doomed race theory' but he wanted to preserve (as far as possible) the Aboriginal race through their 'uplift' (McGregor 1997). For Baldwin Spencer, Aboriginal employment was an ancillary concern. The major challenge was to control miscegenation, which was difficult in remote northern and central regions as the 'white population [was] sparse and predominantly male' (McGregor 1997, 66). In 1911 when the Commonwealth assumed control from South Australia, the population of Darwin (the capital) was only 1300, and half were Chinese.

Segregation was primarily about the control of Aboriginal women's sexuality to prevent the procreation of mixed-race children but this had to be achieved while maintaining the 'pretence of separation' or the dichotomy between 'primitive' and 'civilised' would collapse (Behrendt 2000; Robert 2001). The supply of Aboriginal domestic servants was considered vital to increasing the white population in the Northern Territory but this employment contributed to the increase of mixed-race numbers. Spencer argued that Aboriginal girls needed protection from white society because their 'peculiar natures [meant they] may be very easily led astray and ruined' (McGregor 1997, 154). Preparing children for white society required they were taken from their parents from 'an early age' (McGregor 1997, 85) but Spencer was against the establishment of separate institutions for children. He argued the move would (McGregor 1997, 81):

tend to indicate the recognition by the Government of mixed marriages and, more especially, of irregular intercourse between the white and black races both of which must be discountenanced as much as possible.

Spencer minimised the role played by whites by identifying Asians as 'the major source of drink and drugs, disease and dissolution' (McGregor 1997, 86). However, others were not so circumspect. In a 1916 memo, Chief Inspector Beckett argued:

a large section of the male community in Darwin ... [needed] to be protected from their own unbridled passions quite as much as do the Aboriginals who are practically forced to pander to them (McGregor 1997, 91).

The solution was increased control of Aboriginal people, with Darwin becoming a 'prohibited area' (except for employment), apart from the Aboriginal compound. The 1918 *Aboriginals Ordinance* made it an offence to 'consort' with Aboriginal females (McGregor 1997, 91).

Despite Spencer's misgivings, the first separate institution for 'half-caste' children was established in the Northern Territory. 'The Bungalow' was opened in Alice Springs in 1914 but its cosy, suburban name disguised the bleak reality of such institutions (McGregor 1997, 143). Initially no more than a tent beside the police station, it grew into a series of corrugated iron sheds that were cold at night and stifling during the day. Designed to hold twelve, it proved woefully inadequate to house more than 70 children, which were ultimately held there. Walker's scathing report in 1928 included photographs of children sleeping on a single thickness of blanket on the dirt, 'like sardines in a tin ... an impossibility for them all to lie down ... [i]f it rains they must go inside and stand up' (McGregor 1997, plate 5). Their diet consisted of bread and treacle and tea, three times a day, with one meal of potato and goat's meat stew every second day. They ate sitting on the ground under trees and had their lessons under the veranda of one of the buildings. One of the gravest concerns was the Bungalow's proximity to the hotel, and drunken white men. The vulnerability of the children to this 'moral' threat was demonstrated by the official explanation given for finally relocating the Bungalow 29 miles out of town: the work gangs constructing the North-South railway were drawing close to Alice Springs (McGregor 1997, 147).

Commonwealth enthusiasm for Aboriginal Affairs was short-lived. The four chief inspectors between 1914 and 1927 held the post as a secondary function to an already full portfolio (McGregor 1997,

87). In 1917, the Office of Chief Inspector of Aborigines was abolished for economic reasons. In the early 1920s, further cost cutting led the government to devolve responsibility for the 'problem' to church missions. In 1924 Senator Pearce, the Minister for Home and Territories stressed:

the Christian responsibility for the remnant that is left of the Australian aborigines, [stating] ... the Government was the very last organisation to deal effectively with the problem... (McGregor 1997, 97).

Besides budget constraints, policy failure was also becoming apparent. The mixed-race population in the Northern Territory, estimated at 244 in 1911, had risen to 624 by 1922 and reached 800 by 1928 (McGregor 1997, 142). With a white population of just 2770 in 1925, there was serious concern that the black population might actually exceed it.

The appointment of Dr Cecil Cook as Chief Protector in 1927 initiated a policy shift from Segregation to biological Assimilation (McGregor 1997). In contrast, Bleakley (the Chief Protector of Aborigines in Queensland) reporting on the Northern Territory in 1929, continued to advocate segregation.

Bleakley's report recommended 'improved living conditions and minimum wages for pastoral workers, increased financial assistance for missions' (Dow and Gardiner-Garden 2011, 4). The report also called for increased surveillance to ensure 'strict control over Aboriginal lives ... [and noted t]he need for supervision of the sexual behaviour of Aboriginal women' (McGregor 1997, 98). Dr Cecil Cook was a 'practical' man with a background in medicine, and a diploma of anthropology. He supported the tenet promoted by A.O. Neville, for 'the total breeding out of colour' (McGregor 1997, 152). Rather than consider mixed-race children a threat, he saw their potential as 'breeding stock'. In the early 1930s, Cook explained that:

Every endeavour is being made to breed out the colour by elevating female half-castes to white standard with a view to their absorption by mating into the white population ... [this] policy offered the only instrument of realizing the objective of the conservative purist who demands an All White Australia (McGregor 1997, 161 and 163).

While this policy had support from some, others were scathing in their condemnation. One opinion voiced publicly was put forward by a Mary Bennet, commenting in the press at the time, who argued that the 'real policy' was:

extermination ... leaving ... the most unfortunate native women at the disposal of lustful white men ... We shall be better able to evaluate this policy when another race applies it to ourselves as 'the absorption of the white race' and 'the breeding out of white people'!!! (McGregor 1997, 177)

Most opposition was based more on distaste for miscegenation and fears about polluting white Australian bloodlines. This meant there was little official support for, or interference with, the policy from Commonwealth officials.

As part of the assimilation policy Cook also proposed, and received approval for, an ambitious housing scheme to:

rescue [the] adult half-castes no longer under legal control ... The provision of proper housing accommodation should ... remove the principal contributory factors in their moral and physical degeneration (McGregor 1997).

As McGregor (1997, 165) explains, '[i]n the long Australian tradition, private home ownership was proffered as a pathway to responsible citizenship'. The success of the scheme relied on employment, which entailed vocational training. However, the dearth of viable industries in the Northern Territory limited employment opportunities to the pastoral industry. Despite objections from many quarters, Cook pushed through regulations that meant 'pastoralists could employ half-caste youths only under the formal conditions of apprenticeship' (McGregor 1997, 165). Full-bloods could continue to be employed for little or no wages but half-castes 'needed to be elevated to white standards of living' (Cook, cited in McGregor 1997, 166). However, the Chief Protector would continue to administer a significant portion of those wages. And the extent of elevation would be constrained, moving only 'from an unproductive nomad to a self-supporting peasant' (McGregor 1997, 182).

In 1936, with Australia emerging from the Great Depression, Cook's biological absorption policy was finally formalised and passed (McGregor 1997, 182). The following year, Cook added his voice to Neville in promoting biological Assimilation at the Native Affairs Conference in Canberra. However, a Cabinet reshuffle and resulting change of political allegiances saw Cook, and his policy, quickly replaced. Pressure from anthropological and humanitarian lobbying resulted in a 'New Deal for Aborigines' (McGregor 1997, 182). The policy – passed in 1939 – was co-written by the Chair of

Anthropology at Sydney University, Adolphus Peter Elkin. The policy shift reflected a trend in anthropology over the preceding decade, moving from a framework based on racial attributes (which had informed Cook's thinking) to one based on cultural attributes. This resulted in more subtle language, explaining differences in terms of culture and economic modes. But the basic framework was still evolutionist or progressivist: retaining both the juxtaposition between primitive and civilised, and the assumption of progress from one state to the other. The 'New Deal' was basically Cook's policy reworded, with the added legitimacy of a scientific approach (McGregor 1997). Elkin was appointed Chief Protector, and he would go on to exercise significant influence over Indigenous policy in Australia. However, the advent of World War II put Aboriginal Affairs on hold.

In the post-War period, Australia found itself under increased international pressure. The horrors of the 'final solution' under Nazi Germany created a shift in attitudes towards race relations, and there where awkward parallels between the 'Jewish question' and the 'Aboriginal problem'. In 1951, Paul Hasluck was appointed Commonwealth Minister for Territories (Dow and Gardiner-Garden 2011). At the Native Welfare Conference that year, he advocated for a common policy in Aboriginal Affairs across Australia, describing Assimilation as 'a policy of opportunity' (McGregor 1997, 247). In tabling the conference report in the House of Representatives, Hasluck explained:

Assimilation means, in practical terms, that, in the course of time, it is expected that all persons of aboriginal blood or mixed blood in Australia will live as do white Australians (Dow and Gardiner-Garden 2011, 7).

The change in rhetoric did not herald a marked change in strategy. It was basically the same policy that Elkin had devised, except where Elkin promoted cultural maintenance – to assist in the transition phase – Hasluck wanted 'Aboriginal cohesiveness, community and culture' replaced with 'individualistic citizens' (McGregor 1997, 248). He thought Aboriginal culture was fragile, which increased his optimism for the transition. That same year, the *Cattle Station Industry (Northern Territory) Award 1951* made Aborigines exempt from its provisions, again 'denying them equal wages' with Commonwealth approval (Dow and Gardiner-Garden 2011). Aboriginal opportunity was again defeated by pastoral interests.

The move away from racist rhetoric led to a change in policy structures. The 'Protector' of Aborigines gave way to the Welfare Division (Prentis 2008). However, as the Northern Territory Welfare Branch pointed out, the *Northern Territory Welfare Ordinance (1953)*:

made adequate provision for the care and welfare of aborigines, but ... does not distinguish on the grounds of colour or racial origin from other persons or groups ... in need of special care or assistance (cited in Brook 1997, 423).

Instead, authority over Aboriginal people under the Act was exercised through the power to 'declare a person to be a ward' (Northern Territory Welfare Ordinance, in Brook 1997, 423). In theory, wards had to be declared; in practice, exemptions had to be sought. A range of criteria were stipulated but of the estimated 15,598 Aboriginal people in the Northern Territory in 1957, 15,276 were wards (Northern Territory Welfare Branch, in Brook 1997, 423). It was clear that little had changed. Under the Welfare Division, Aboriginal people were still treated as children, infantilised through policy and law as a matter of course (Brook 1997).

By 1961, the discourse on Assimilation had changed very little. As Paul Hasluck explained:

The policy of assimilation means ... that all aborigines and part-aborigines are expected eventually to attain the same manner of living as other Australians and to live as members of a single Australian community enjoying the same rights and privileges, accepting the same responsibilities, observing the same customs and influenced by the same beliefs, hopes and loyalties (in McGregor 1997, 247).

There was no question that Aborigines might have different aspirations. Notions of evolution and progress still prevailed. The biggest barrier was the receptiveness of the 'Australian community', after living for sixty years with the 'White Australia' policy. Perhaps the key word in the quote is 'eventually'. From Protection to Assimilation, the 'problem' was defined in terms of inherent attributes of Indigenous people: their difference from the in-group. But adopting in-group values did not guarantee access to in-group acceptance or privilege.

In 1964, the federal government passed legislation making welfare payments available to Aboriginal people in the Northern Territory for the first time. However, Tatz (1964) argues that the control of Aboriginal people under 'welfare' still mirrored their control under previous policies. The legislation,

aiming to confer citizenship rights, also included the right to drink alcohol and the provision for equal pay. As always, there were limits. A reserve superintendent could apply for a licence to establish a 'wet canteen' so that Aborigines could drink 'in their own environment' (Tatz 1964, 59). And, like welfare reform, the practical result of equal pay was less than comprehensive in application. A clause for 'slow' workers delayed its implementation for some time. When it finally became unavoidable, the lack of legislative protection for job security meant equal wages resulted in the wholesale dismissal of Aboriginal labour on pastoral holdings, and the expulsion of entire families and clans from their Country. David Hollinsworth (1996, 117) states that:

The drift to towns and cities was phenomenal after 1960 with around half the population of each state shifting. Government authorities actively encouraged this migration as assisting assimilation and economically rational.

Pearson (2009) argues the failure to remove discrimination *and* keep Aboriginal people in the workforce has been instrumental in creating current levels of dependence on welfare. The successful Referendum in 1967 meant that Aboriginal people were included in the population census for the first time. This brought Indigenous disadvantage into stark focus over the ensuing decades, because in policy terms, a problem does not exist unless it can be quantified (Bridgman and Davis 2004).

Recent Indigenous Policy Trends in Australia: Self Determination

It was during the 1960s and 70s that the 'rights movement' reinvigorated Aboriginal activism in Australia (Onyx 1996). However, while Aboriginal activists were calling for 'a secure land base and freedom from oppressive regulations', their non-Indigenous supporters were adopting a 'rhetoric of equal rights and access to mainstream services' (Hollinsworth 1996, 117). Hollinsworth (1996, 117) argues 'the latter dominated recognised political activism'. These calls were answered by the Whitlam Labor Government with the introduction of the 'Self Determination' policy. For the first time Aboriginal cultures were officially recognised as valuable in their own right, and Aboriginal autonomy became a stated aim. Three key elements were identified as being vital for the rhetoric of Self Determination to become reality: Aboriginal control, capacity and adequate resources (RCIADIC 1991). However, the definition of Self Determination remained ambiguous. More often than not,

Self Determination (with real decision making power) was implemented as Self-management (delivering Indigenous services and policies decided by someone else). Hollinsworth (1996) argues there is a contradiction between the rhetoric of Indigenous autonomy and the growing surveillance and co-option inherent in the Australian welfare state. Indigenous autonomy was seriously undermined by the 'increasing levels of accountability which accompany greater government resources' in Australia, and the 'familiar factors of neo-colonial dominance and underdevelopment' evident internationally (Hollinsworth 1996, 115). Toohey (2008, 4) argues that in the Northern Territory, power never really left the hands of white managers: Self Determination was just a 'bad joke'.

In 1972, Tatz described 'Aborigines [as] the most over-administered minority anywhere in the world' (in Hollinsworth 1996, 119). By the 1990s, Self Determination notwithstanding, 'the proliferation of agencies ha[d] worsened dramatically' (Hollinsworth 1996, 119). Hollinsworth (1996, 120) argues that 'most literature on Aboriginal community management operates from within [a] bureaucratic and rationalist framework' of 'efficiency and standard administrative and financial accountability'. Evaluations tend to identify the shortcomings as cross-cultural issues and inadequate Indigenous structures. Hollinsworth (1996, 120) explains:

Within this discourse, historically contingent political relationships perpetuated by an enduring welfare colonialism is thus rendered up as the product of dehistoricised cultural differences. For instance, the appalling health status of most indigenous Australians is explained as the result of alienation from mainstream health services and inappropriate behaviours rather than the inevitable consequence of self-serving non-Aboriginal intervention and grinding poverty ... 'Blaming the victim' is particularly prevalent towards the ... [most] marginalised...

The Aboriginal and Torres Strait Islander Commission (ATSIC) was established as part of the Self Determination policy. It was envisaged to provide a platform for Indigenous civic engagement and political autonomy. But it became another government department. Hollinsworth (1996) argues that ATSIC actually functioned to co-opt 'political threats'. The gradual transfer of portfolio responsibility to agencies with Indigenous staff or leadership:

has enabled the perpetuation of neglect of Aboriginal communities and the dereliction of obligations towards indigenous citizens by local and state authorities ... [In the end, m]any of the initiatives fail and these failures are blamed on those they should have helped (Hollinsworth 1996, 122 and 118).

Aboriginal government agencies (including ATSIC) perpetuate the assumption that western cultural mores – the values ‘embedded in welfare, educational and judicial systems’ (Hollinsworth 1996, 118) – are universal. Thus, the prevailing political context over the past few decades can be described as a ‘racialised welfare state’. This restricts the definition of ‘development’ to western perspectives. The expansion of ‘service delivery groups under apparent Aboriginal direction’ has led to ‘increasing hostility’ towards what is viewed as ‘special treatment’ (Hollinsworth 1996, 118). Conservative politicians and policy professionals consider Indigenous specific community development strategies as ‘inappropriate and separatist’, expressing their ‘hostility to the presumption that mainstream services cannot operate effectively across cultures’ (Hollinsworth 1996, 118). Although published more than a decade before the NTER (1996 – the year the Howard Government was elected), Hollinsworth’s critique has been borne out since. The period he characterised by its ‘virulent popular racism’ – intensified by policy failure and a ‘climate of racial hypersensitivity’, which stifled frank debate about the causes of that failure (Hollinsworth 1996, 123) – continued into the Howard era.

Indigenous Affairs had been in a state of flux in the years leading up to the NTER in 2007 (Allam 2006). There had been four different ministers in the space of six years. ATSIC was disbanded in 2004, amidst claims of corruption and its failure to address Indigenous disadvantage. This was despite it being only one of many statutory authorities delivering programs Australia-wide, and that key services (such as Health and Education) were outside its purview (Wild 2007). Megan Davis (2007, 97) argues ‘one of the lesser known reasons’ for ATSIC’s demise was its success in lobbying for Indigenous rights at the United Nations. This illustrates the incongruity of having a government department ‘representing’ Indigenous political interests. With the end of ATSIC, many of its functions were either ‘mainstreamed’ or assumed by the Office for Indigenous Policy Coordination

(Allam 2006). The mainstreaming of Aboriginal services responded to what the Howard Government termed the 'separatist' treatment that had preceded it.

The other broad direction that shaped Indigenous Affairs was in social policy (Allam 2006). Mutual Obligation, an initiative of the Howard (conservative) Government, had seen the introduction of requirements that Australian welfare recipients work, study or volunteer in return for their payment. One of these schemes was 'work for the dole', which had been modelled on the Indigenous community development employment projects (CDEP), now decades old. The introduction of Mutual Obligation to Indigenous Affairs came in the form of Shared Responsibility Agreements (SRAs). These 'contracts' between government and Indigenous communities involved the commitment of discretionary funding in return for 'behavioural change'. They became known as the 'no school, no pool' policy, as some remote communities received a swimming pool in return for improved school attendance. If children did not attend school, they could not access the swimming pool. Not all SRAs had such direct links between the infrastructure provided and the behavioural changes desired. For example, the provision of a petrol-pump might be offered in return for a reduction in domestic violence, or for regularly washing children's faces (to reduce the incidence of trachoma). One SRA involved the compulsory suspension of welfare payments but this was quickly axed when it was realised the measure contravened both the Racial Discrimination and Social Security Acts (Allam 2006, np). The trend was certainly towards a more coercive approach, aimed at getting Aboriginal people engaged in the 'real economy', which meant off welfare and into employment. The success of contemporary Indigenous policy is generally measured by the extent of disadvantage the Indigenous population experiences (Australian Government 2012).

In the Northern Territory, the demographic profile of Indigenous people – and their socio-economic outcomes – differs from national averages. In 2006, the year before the NTER was initiated, there was an estimated 66 600 Indigenous persons in the Northern Territory (ABS 2007). This equated to 31.6 per cent of the total population – the largest proportion of any state or territory – Indigenous

people making up only 2.5 per cent of the national population (AIHW 2008, 4). National statistics can tend to mask the extent of disadvantage experienced in the poorest areas. Remoteness is a factor that reduces Indigenous access to employment and basic services – like health and education – while increasing the likelihood of substandard and overcrowded housing (ABS 2007; AIHW 2008). In 2006, 25 per cent of the National Indigenous population lived in remote or very remote areas, compared to only 2 per cent of the wider population (AIHW 2008, 5). However, in the Northern Territory 80 per cent of the Indigenous population lived in remote or very remote areas in 2006 (ABS 2007). The overall level of disadvantage is encapsulated in the most fundamental statistic of all: the life expectancy of Indigenous people in the Northern Territory is: 14.2 years less for males and 11.9 years less for females (ABS 2011, 4). Arguably, many Indigenous people in the Northern Territory face a worse situation than in most other jurisdictions. Formulating policy to address Indigenous disadvantage did receive some attention under the Howard Government.

The House of Representatives Select Committee on Aboriginal and Torres Strait Islander Affairs (HRSCATSIA) (2004) conducted an Inquiry into Capacity Building and Service Delivery, releasing its *Many Ways Forward* report in 2004. The title and terms of reference of this inquiry reflected the ideologies of the Howard Liberal Coalition Government and its ultimate goal of reducing expenditure on services. This document illustrates the fine line between the terms of reference handed down and the prevailing trends in theory traversed by policy makers. There is an obvious tension between the focus of the report – service delivery (or more precisely, the reduction of service delivery costs) and the major focus of the solution – increased capacity and empowerment of Indigenous Australians. The narrow terms of reference effectively limited the type of ‘capacity building’ recommended to the transfer of skills required to deliver government services and adequately account for expenditure. Some of the recommendations of the *Many Ways Forward* report included the need for change in the various levels of government in the Australian federal system (Hunt 2005, 17). Government departments needed to improve the effectiveness of communication, cooperation and integration among themselves, and to develop good communication and genuine partnerships

with Indigenous communities. These changes were required because evidence suggested that current government mechanisms, cycles, timeframes and reporting requirements jeopardised the ability of Indigenous communities to address their own needs. A change in Indigenous organisations was also recommended in order to improve the level of training in governance and corporate management. It was further noted that a power shift was required to enable *genuine* partnerships, which reflect shared goals, shared risk and shared power. Not surprisingly, this power shift was not forthcoming.

The Cape York 'Experiment'

Cape York is situated in the north of Queensland, which shares a border with the Northern Territory.²⁴ Northern Queensland had a similar contact history to the Northern Territory: a more recent 'frontier', a larger proportion of Indigenous population, and draconian policy into the 1980s (Frankland 1994, 11). In the documentary titled *Cape York Experiment*, Matthew Carney (2007a) followed the initial stages of the Cape York Welfare Reform agenda led by Noel Pearson, the Director of the Cape York Institute for Indigenous Policy. The Project would involve four remote communities in the Cape Peninsula: Mossman Gorge, Cohen, Hope Vale and Aurukun (CYIPL 2007, 1). In October 2006, Noel Pearson began consulting with these communities to gain support for a reform package to address social dysfunction (Carney 2007a). Hope Vale was Pearson's home town. Major problems such as 'school attendance, alcohol, gambling, housing, children, sniffing [petrol] ... and drugs' were identified in these communities (Newman in Carney 2007b, np). In Hope Vale, existing alcohol restrictions had failed to stop problem drinking. When welfare payments arrive, the parties rage from Wednesday to Sunday. Children roam the streets at night to escape the dysfunction and violence at home. At best, they are likely to miss school the following day; at worst, they are vulnerable to abuse. This is an issue in all four communities, for example Carney (2007b, np) explains:

²⁴ See the map in Appendix 1, on page 263.

Child neglect and abuse are rampant in Hope Vale. In just one six week period 26 children were removed from dysfunctional homes by government agencies.

Another symptom of anomie is the high rate of youth suicide. Accepted as an indication of mental illness, suicide tends to occur in clusters in remote Aboriginal communities, with several closely related individuals often suiciding in a short period. Besides the trauma and grief this generates, it often leaves small children to be raised by grandparents or other family members. Pearson argues the core of the problem is dependence on government welfare for income, which has 'erode[d] the spirit of the people' (Carney 2007b). Welfare recipients become passive, expecting a 'hand-out' as their due. Pearson argues that a 'hand-up' and the acceptance of responsibility is the answer. He acknowledges that past failed initiatives and programs had created despondency and 'plan fatigue', reducing people's motivation to be involved.

The program began with consultation. Two 'community engagement officers' in each community were assigned:

to get to know the people and then do detailed interviews with every household to identify the dysfunctions. The idea is to get the communities to own and take responsibility for their problems (Carney 2007b, np).

The 'experiment' clearly retained the 'deficit' focus of the dominant paradigm. Three months later McIlwraith, one of the community engagement officers, explained that a 'fairly good cross section of the Hope Vale community had been interviewed' (in Carney 2007b, np). Community engagement forums were then held to communicate the findings to the communities and discuss the solutions. In Hope Vale, poor attendance, by the community *and* key officials driving the program, undermined the efficacy of this consultation process. Attendees found the proposed reforms confusing and there was fear and suspicion among the wider community. Those who were not part of the 'problem' protested that they had not been consulted, and resented what they saw as an externally driven project. Those who were part of the problem were not engaged in its solution. Ray Coleman – a heavy drinker living in Hope Vale – admitted many of his friends have died from alcohol abuse. When asked why he had not altered his behaviour, Coleman responded '[y]ou talking about

blackfellas, Aboriginals. This is a dying race, [pointing to his arm] the colour of my skin, it is a dying race' (in Carney 2007b, np). Having internalised hopelessness and despair, he then externalised the responsibility for his health onto that construction.

The families affected by the behaviour of others were most interested. A key part of the welfare reform agenda was building financial literacy through voluntary family income management (FIM). Community council workers 'take control of family incomes and divide welfare payments into different accounts to make sure there's enough money for food, rent and children's education' (Carney 2007b, np). This avoids unfair burdens falling on only a few people in multi-family homes and 'humbugging' (Carney 2007b, np). Humbugging is the 'cultural' practice of asking for 'help' that has been distorted by drug addiction into badgering friends and relatives for money to feed that addiction (Pearson 2009; Sansom 1991). FIM could also be used punitively:

The most controversial aspect of the plan [was] to take welfare payments from parents who behave badly ... if a parent is drinking or gambling and neglecting their children then a Families Commission made up of two respected elders and a retired magistrate will have the power to re-direct welfare payments (Carney 2007b, np).

The Cape York Institute of Policy and Leadership (2007, 50) recommended the Commission should be able to impose sanctions in the following order:

1. 'issue a warning to the individual'
2. offer support services – such as income management or 'drug or alcohol rehabilitation' – on a voluntary basis
3. re-direct their welfare payments to conditional income management
4. re-direct their welfare payments to a person who is caring for the child/ren.

The *Design Recommendations* for the project noted the Commission would not be empowered to suspend welfare payments (CYIPL 2007, 50).

Mal Brough, the Minister for Indigenous Affairs, arrived in Hope Vale in April to get involved in the program. During an overnight stay at Pearson's house in Hope Vale, a deal was made. He offered \$15 million in Commonwealth funding for the construction of 30 new houses on freehold land

owned by the council (Carney 2007b). Brough envisaged a future with Aboriginal people 'owning their own homes, managing their own property, being in their own businesses' (in Carney 2007b, np). If the community could 'control their drinking, get the kids to school, and manage their income' they would have tenancy that could be 'converted to home ownership' (Brough, in Carney 2007b, np). Eligibility for tenancy in new houses or maintenance on existing houses would depend upon joining the FIM program.

Two days before the NTER was announced in June 2007, Noel Pearson flew to Canberra to present his *Report on Welfare Reform in Cape York* to the Commonwealth Government. Not due until September, the report had been rushed through by Pearson to 'seize the opportunities' presented by politics (Carney 2007a, np). Matthew Carney (2007b, np) argues that the timing proves that the NTER 'had been in planning for many months'. The amendments to government welfare payments and the changes to land tenure in the NTER were similar to the Cape York Reform Agenda. The Commonwealth Government's interest and involvement in Cape York was an attempt to lend legitimacy to the welfare reforms in the Northern Territory, by establishing a precedent for income management. This not only established a pilot but importantly, for the sake of appearances, Noel Pearson's involvement gave the legitimacy of Indigenous input.

Noel Pearson was ambivalent about Commonwealth Government involvement in the Reform. As he pointed out, Aboriginal people need to take responsibility, government agents cannot hold that power forever, it needs to be transferred. Pearson admitted that while he was 'confident about the initial stage' of the Reform agenda, he was 'not confident about that process of transition' (in Carney 2007b, np). The Commonwealth Government's political agenda 'dictated the timing of the release' and this meant the report was 'rushed' with 'very different and mixed results and mixed responses' (Carney 2007b, np). During the trial period the response to the initiative was so negative in Aurukun that the community engagement officers had been pulled out twice because of fears for their safety.

Prelude – Little Children are Sacred

The abuse of Aboriginal children gains national media attention periodically. Sensational reports of court cases, often with the accused claiming ‘customary law’ in defence, tend to incite a media frenzy. The attention is usually short lived – state level reports might be commissioned but little changes. In 2006 the Alice Springs Crown Prosecutor, Nanette Rogers, ‘revealed the widespread nature of child sexual abuse’ in Aboriginal communities, lending weight to the issue (Johns 2008, 70). Rogers argued that customary law often benefited the offender (Kelly 2006). The Northern Territory Government responded by commissioning a Board of Inquiry into the ‘Protection of Aboriginal Children from Sexual Abuse’ (Anderson and Wild 2007). The board was co-chaired by Pat Anderson, an Alyawarr woman with experience in Aboriginal health, and Rex Wild, former Northern Territory Director of Public Prosecutions, and supported by an expert reference group (Wild 2007). The process involved extensive community consultation because the major focus was on the level of unreported abuse, making the inquiry reliant upon anecdotal evidence from community members (Anderson and Wild 2007). This required trust, which Anderson and Wild worked hard to build, using a ‘patient, tolerant and sensitive approach’ to encourage people to talk (Wild 2007, 112). The inquiry presented its *Report into Child Abuse in Aboriginal Communities in the Northern Territory, Ampe Akelyernemane Meke Mekarle* (meaning ‘Little Children are Sacred’), to the Northern Territory Government on 30th April 2007.

The Board found that the ‘sexual abuse of Aboriginal children is *common, widespread and grossly under-reported*’ (Anderson and Wild 2007, 16). The report noted that the abuse of Aboriginal women and children was not new; the problem has been recognised for at least 30 years (Wild 2007). Nor was it confined to the Northern Territory; several similar reports had been produced for different state governments over the preceding five years (Anderson and Wild 2007). The point was also made that the abuse and/or neglect of children was not confined to Aboriginal people, it was found among all cultures. While it was impossible to accurately ascertain the extent of unreported

child abuse, the report (Anderson and Wild 2007, 12) found abuse was widespread and intergenerational, using an example to demonstrate the situation:

HG was born in a remote Barkly community in 1960. In 1972, he was twice anally raped by an older Aboriginal man. He didn't report it because of shame and embarrassment. He never told anyone about it until 2006 when he was seeking release from prison where he had been confined for many years as a dangerous sex offender. In 1980 and 1990, he had attempted to have sex with young girls. In 1993, he anally raped a 10-year-old girl and, in 1997, an eight year-old boy (ZH). In 2004, ZH anally raped a five year-old boy in the same community. That little boy complained: 'ZH fucked me'. Who will ensure that in years to come that little boy will not himself become an offender?

Many Aboriginal women were angry that the problem actually had to be established. They had been trying to deal with the situation – and its long-term ramifications – for years. The *Little Children are Sacred* (Anderson and Wild 2007) report made a total of 97 recommendations to ameliorate the situation.

In considering the causes of child sexual abuse, the inquiry reviewed two major theoretical positions. The first is the *family dysfunction model* that considers sexual abuse as 'a means of maintaining equilibrium' within the family and that each member has an 'interest' in its continuation (Anderson and Wild 2007, 220). In contrast, feminist theories of child sexual abuse employ a *social power* framework, identifying male power within the family, which is reinforced by patriarchal societal structures, as the underlying cause of the problem. Neither perspective appears adequate to explain this complex issue. The *family dysfunction* model employs a masculinist perspective, assuming self-interest is motivating all parties, ignoring power disparities and in part, blaming the victim. *Social power* frameworks fail to reveal the subtle mechanisms, which tend to silence victims and other family members.

These mechanisms can only be revealed by the acceptance of difference. Like rape victims, children are often blamed for their own abuse and having internalised that belief, become locked in an exacerbation cycle where their silence facilitates its continuation. By attributing the cause of abuse to an internal trait, the child is likely to act out those attributes, becoming a promiscuous adolescent

and reinforcing their feelings of worthlessness. As adults, male victims of past abuse might find becoming the abuser far easier if they continue to internalise the responsibility they felt as a child, as they can then in turn externalise responsibility for their own actions onto their victim. Theories such as the *family dysfunction model* are likely to reinforce the cycle of sexual abuse, while feminist theory fails to unpack the complexity involved. The inquiry noted that child sexual abuse has generally been considered as non-violent (Anderson and Wild 2007). Given the power and authority adults exercise over children, this conceptualisation is chilling. More recent research has revealed that 'a violent, coercive environment is almost as likely for sexual abuse cases as it is for physical abuse cases' (Anderson and Wild 2007, 221). In this situation, children do not need to be forced or threatened; the threat is implicit and all too well understood.

Finkelhor (1984) proposes four prerequisites for child sexual abuse, which Goddard and Carew (1993) argue may help explain how abuse occurs, *but not why* (in Anderson and Wild 2007, 220). These are motive, reduced inhibitions, the removal of external impediments and a way to thwart the child's resistance or avoidance (Anderson and Wild 2007). Motive is explained as unsated sexual desire and is usually externalised onto the perpetrator's partner under the *family dysfunction* model. Aboriginal communities are prone to a range of factors that create a situation where these prerequisites are met. Pornography might be considered to aggravate 'motive' and illicit pornography is common in many Aboriginal communities. Alcohol and drugs can reduce the inhibitions of the perpetrator. Approximately ten per cent of Australians consume alcohol at harmful levels. In the Northern Territory, that figure is just over seventeen per cent, with a significant ratio of Aboriginal people making up that statistic. There are also high levels of other substance abuse in many Aboriginal communities (including illicit drugs and petrol and glue sniffing). Intoxication can lower the inhibitions of offenders, compromise parental supervision and increase the vulnerability of the child. The prevalence of substandard and overcrowded housing increases the number of adults with access to children in their own homes, reducing the child's ability to avoid the offender. Combined with alcohol, overcrowding can also increase the number of children on the streets at

night – increasing their vulnerability – as they try to escape the dysfunction at home. Boredom, abuse and despair lead children to substance abuse, leaving them more vulnerable to abuse. As the case of HG and ZH described above indicates, abused children can become the abusers, transmitting the behaviour between generations. The persistent problems of poverty, unemployment, overcrowded housing, and alcohol and drug dependency increase the likelihood of abuse in Aboriginal communities.

In terms of the policy cycle model, child abuse is the ‘problem definition’ of the NTER. But the *Little Children are Sacred* report (Anderson and Wild 2007, 12) determined that the ‘sexual abuse of Aboriginal children’ could best be considered a symptom of the ‘breakdown of Aboriginal culture and society’. This dysfunction has ‘developed over many decades’ and ‘poor health, alcohol and drug abuse, unemployment, gambling, pornography, poor education and housing, and a general loss of identity and control’ are all contributing factors (Wild 2007, 113). Child abuse and the anomie underlying it are intergenerational. There are young parents in the Northern Territory who have never known a life free of alcohol and violence. The report’s explanation of the problem fell short of assigning blame, which (according to Stone) is the purpose of identifying cause. However, government failure in program delivery and interdepartmental coordination were identified as aggravating factors. These failures have led to ‘a breakdown in services, and poor crisis intervention. Improvements in health and social services are desperately needed’ (Wild 2007, 113).

The report (Anderson and Wild 2007, 223) argued that any solution has to address the structural factors underlying the prevalence of sexual abuse. It required a range of responses: service provision, education, housing and infrastructure, ‘employment and the means to overcome the disastrous scourge of alcoholism’ (Anderson and Wild 2007, 16). The solution, just as the problem, was not new: it had ‘all been said before’ (Anderson and Wild 2007, 13). Given that Australia endorsed the principles of the United Nations Convention of the Rights of the Child, the authors found it ‘remarkable’ that the extent of victimisation and abuse had been allowed to continue. They

pointed out it was the responsibility of government to protect Aboriginal children. The solution would require the long-term commitment of funds, which – given the billion dollar budget surpluses enjoyed at that time – should be affordable. The Board advised the solution should be proactive, rather than reactive; abuse should be prevented before it occurs. A holistic response was in order, to provide the support and services necessary to empower Aboriginal people to stop the abuse of their children. Responding to this issue provided an ‘opportunity to start something which can have a hugely positive impact on the whole of Australia’ (Anderson and Wild 2007, 18). The first of the Report’s 97 recommendations restated the importance of consultation when designing initiatives. Many of the suggestions were practical actions that could be easily implemented, such as the establishment of an Office of Commissioner of Children and the effective coordination between law enforcement and child protection.

While the *Little Children are Sacred* report was presented to the Northern Territory Government in April, Anderson and Wild did not release their findings to the public (at a media conference) until 15th June 2007 (Wild 2007). The same day, the Northern Territory Chief Minister, Clare Martin, committed the Territory Government to implementing the recommendations, noting that some of the issues identified – including alcohol abuse and education – were already being tackled (Johns 2007). Less than a week later, in a joint press conference on 21st June, the Prime Minister John Howard, and Mal Brough, the Minister for Indigenous Affairs, declared the situation in the Northern Territory a ‘national emergency’.

Conclusion

Indigenous policy in Australia has always been constrained by conflicting imperatives. On one hand, they have been explained in terms of good intentions – to conciliate, to protect, to assimilate – but on the other, colonisation necessarily involves rationalising the dispossession of the original inhabitants. Consistently, responsibility for the negative outcomes of these policies has been externalised, attributed to internal characteristics of the out-group. This has created contradictory

policy and systemically disadvantaged Indigenous peoples. One of the outcomes of colonisation is the sexualisation of Aboriginal women, a fact that contributes to the contemporary violence and abuse towards women and girls. World War II brought a change in attitudes towards indigenous minorities on the international stage, creating pressure for change within Australia. This change was more rhetorical than tangible. But even with the recognition of Indigenous rights and the introduction of the Self Determination policy in the early 1970s, dominant interests held sway. The three key elements for Indigenous autonomy – capacity, control, and adequate resources – were not forthcoming.

The Northern Territory represents a rather unique context within Indigenous Affairs. Its population consists of a relatively high proportion of Indigenous people who are generally more culturally distinct than those in the southern states. Between 1911 and 1978, the Commonwealth Government administered the Northern Territory, giving it direct control (and responsibility) for Indigenous Affairs. Its record in this regard is no better than other states, and perhaps worse than some. Because the Northern Territory does not have the status of a state, its constitutional independence from the Commonwealth is reduced. Thus, it is not surprising the ‘Intervention’ should occur there. That many Indigenous communities are in complete social breakdown and in urgent need of assistance – especially their most vulnerable members – is not disputed. However, it has not been established that the incidence of child abuse is worse in the Northern Territory than in other states. The *Little Children are Sacred* report did call for the issue to be treated as a matter of ‘urgent national significance’ and the measures announced by the Commonwealth Government did profess to address the threat to Indigenous children directly. However, the policy measures announced by the Howard Government did not reflect the recommendations of the report. This is demonstrated in the following chapters, which will introduce and analyse the suite of measures encompassed by the NTER.

The Northern Territory Emergency Response

Anderson and Wild released their *Little Children are Sacred* report to the public at a press conference on the 15th June 2007. A few days later, Noel Pearson flew into Canberra to table a rushed report on the welfare reform pilot conducted on the Cape York peninsular. In a joint press conference on the 21st June, Prime Minister John Howard and Mal Brough, the Minister for Indigenous Affairs, declared the situation in the Northern Territory a 'national emergency' (Carney 2007a; Howard 2007). They were sending in the army and the police, as the first in a range of 'major measures'. The Government cited the *Little Children are Sacred* report as the justification for the policy, and its unprecedented extent. In defence of the Commonwealth stepping beyond their jurisdiction, they stated the Government was 'unhappy' with the response of the Northern Territory Government, arguing their intervention was 'totally justified'. A special sitting of Parliament would be convened over the winter break to pass the legislation required.

The Northern Territory Emergency Response (NTER) involved a broad range of policy instruments designed to alter the behaviour of Aboriginal residents. It required a raft of related legislation, which duly passed both houses of Parliament with bi-partisan support. The decision making process surrounding this policy forms the focus of this case study. This chapter will discuss these measures: focusing on the legislation and the policy advice that Parliament received to inform their decision. Because the *Little Children are Sacred* report was used as justification, the measures are compared to its recommendations. The policy was presented as a bold new direction but consideration of the trend in Indigenous policy during the years leading up to the NTER identifies a continuity of policy focus. A focus not concerned with child welfare.

The Measures

Minister Mal Brough (2007c, np) released the following eleven key measures, 'designed to ensure the protection of Aboriginal children from harm' to the media on the day of the announcement:

- Introducing widespread alcohol restrictions on Northern Territory Aboriginal land.
- Introducing welfare reforms to stem the flow of cash going toward substance abuse and to ensure funds meant to be for children's welfare are used for that purpose
- Enforcing school attendance by linking income support and family assistance payments to school attendance for all people living on Aboriginal land and providing meals for children at school at parents' cost
- Introducing compulsory health checks for all Aboriginal children to identify and treat health problems and any effects of abuse
- Acquiring townships prescribed by the Australian Government through five year leases including payment of just terms compensation
- As part of the immediate emergency response, increasing policing levels in prescribed communities, including requesting secondments from other jurisdictions to supplement NT resources, funded by the Australian Government
- Requiring intensified on ground clean up and repair of communities to make them safer and healthier by marshalling local workforces through work-for-the-dole
- Improving housing and reforming community living arrangements in prescribed communities including the introduction of market based rents and normal tenancy arrangements
- Banning the possession of X-rated pornography and introducing audits of all publicly funded computers to identify illegal material
- Scrapping the permit system for common areas, road corridors and airstrips for prescribed communities on Aboriginal land, and;
- Improving governance by appointing managers of all government business in prescribed communities
- The national emergency response will be overseen by a Taskforce of eminent Australians, including logistics and other specialists as well as child protection experts.

The 'townships' to be 'prescribed' (and compulsorily acquired) were defined demographically. They were those with more than 100 residents, situated on land held under Native Title; or, freehold 'community living areas' issued by the Northern Territory Government; and, could also include other communities 'prescribed' by the Minister (Brough 2007b, np). In addition, the Northern Territory Government was required to 'resume' all town camps near major urban areas, which were in breach of lease conditions, or the Commonwealth Government would do so. In the newly 'prescribed' areas,

50 per cent of all welfare payments (including Community Economic Development Project wages) would be 'quarantined'. Brough's (2007c, np) press release stated:

the Australian Government's response reflects the very first recommendation of the Little Children are Sacred ... which said: 'That Aboriginal child sexual abuse in the Northern Territory be designated as an issue of urgent national significance by both the Australian and Northern Territory Governments ...'

Mal Brough declared the intervention would be long term, 'regardless of the cost' because '[y]ou don't put a price on these things' (in Johns 2008, 327). But Prime Minister John Howard was a little more circumspect, rejecting an estimated cost of \$5 billion. However, he did commit 'whatever is needed' from the Federal Government (in Johns 2007, 327). Melinda Hinkson (2007, 1) argues the collective measures 'constitute a governmental intervention unmatched by any other policy declaration in Aboriginal affairs in the last forty years'. Due to the hasty implementation of the policy, most of the detail on the non-legislative measures became apparent through their implementation. Therefore, to keep the focus on the people in power – as critical theory advocates – this discussion focuses on the legislation.

The Legislation

The special sitting of Parliament was scheduled for Tuesday, 7th August: less than seven weeks after the announcement. A one day Senate inquiry convened on the following Friday and the legislation was introduced to the Senate on the following Monday. The NTER involved three major legislative bills: *Northern Territory National Emergency Response Bill 2007*; *Social Security and Other Legislation Amendment (Welfare Payment Reform) Bill 2007*; and, *Families, Community Services and Indigenous Affairs and Other Legislation Amendment (Northern Territory National Emergency Response and Other Measures) Bill 2007*. The following description of the legislative policy instruments is taken largely from the Bills Digests (the explanatory notes which accompanied the Bill) that were produced to inform members voting on the passage of the bills through both Houses of Government. An 'interim' Digest was compiled for Parliamentary consideration, 'due to the short time frame allowed' (Harris Rimmer *et al.* 2007, 4). Three more Bills Digests were hastily compiled to inform the Senate

decision, giving more detail and including some of the evidence tabled at the Senate enquiry. The authors of the Bills Digest raised several issues with the proposed legislation. Collectively the three bills entailed more than 480 pages of complex legislation (Hunter 2007). The Members received the material the evening before Parliament sat. The bills passed in one day.

The *Northern Territory National Emergency Response Bill 2007* covered a wide range of measures, including: restrictions on alcohol; computer auditing; the acquisition of Aboriginal land and town camps; Commonwealth management of communities; changes to bail and sentencing; and, licensing community stores (Magarey, Spooner, Harris-Rimmer, O'Neill, Coombs, Jagers, Tomaras, Tan, Dow, Gardener-Garden and Jolly 2007). The main provisions of this and the other bills apply to 'prescribed areas', a term whose definition 'is sufficiently broad as to encompass any area of the Northern Territory' at the discretion of the Minister (Magarey *et al.* 2007, 36).²⁵ Most of the legislation had a sunset clause of five years. The exception to this is the acquisition of land, provisions over bail and sentencing, and the general exemption from the *Racial Discrimination Act 1975* (RDA).

Alcohol abuse has been so prevalent within the Northern Territory population that there has been considerable policy attention and the Office of Alcohol Policy and Coordination was established by the Northern Territory Government in 2005 to address the issue (Magarey *et al.* 2007). By 2006, there were 97 'alcohol free zones' in Indigenous communities in the NT. The *Little Children are Sacred* report noted that alcohol abuse is recognised as a contributory factor in violence and child abuse. The proposed 'provisions ban the consumption, possession or supply of liquor within prescribed areas' (Magarey *et al.* 2007, 39). Notices warning of the ban would be erected on major roads leading into communities. However, licences to sell alcohol in prescribed areas would remain effective, with takeaway sales restricted to the equivalent of 1350ml of pure alcohol. The Digest quotes 'an almost comical submission to the Senate Committee Inquiry' in which the Woolworths

²⁵ In practice, locations with populations over 100 were not the only ones affected. More than 500 Indigenous communities were prescribed, capturing more than 70% of the population and encompassing over 600,000 sq km (Review Board 2008, 9). See Figures 2 and 3 (Appendix) for maps of prescribed areas and town camps, pages 264 and 265.

Liquor Group demonstrate the complexities involved in calculating the takeaway restrictions, given the range of alcohol content of various beverages and the differing volume of individual bottles and cartons/cases across '1,300 different products' (Magarey *et al.* 2007, 41). With fines of \$37 000 for a company and \$6 600 for individual employees, Woolworths were understandably 'anxious' to adhere to the restrictions but requested guidance on how to monitor sales (Magarey *et al.* 2007, 41).

In contrast, the *Little Children are Sacred* report recommended a range of measures to reduce 'overall alcohol consumption and ... access to takeaway liquor' (Anderson and Wild 2007, 28-29). These required new policy initiatives and current licensing laws to look beyond the economic benefits of licensed establishments, to consider the social and child welfare implications of their decisions. This would encompass advice from police and the Department of Health and Community Services (DHCS) and consultation 'with all Aboriginal communities' to identify effective strategies to reduce 'alcohol related harm' (Anderson and Wild 2007, 28-29).

The crackdown on pornography included a range of controls on all 'publicly-funded computers within prescribed areas' (Magarey *et al.* 2007, 45). This measure mandated that accredited internet filters be fitted, 'acceptable use' policies be developed, records kept of all users, and biannual audits conducted, with the reports going to the Australian Crime Commission (ACC). The authors of the Digest raised a raft of issues relating to this measure, including (Magarey *et al.* 2007):

- the appropriateness of its application to all publicly funded computers rather than 'publicly accessible computers';
- the appropriateness of the ACC to police the measure;
- why the audits were necessary if the filters worked (which was questioned);
- who would bear the costs;
- issues of free speech;
- Constitutional issues; and,
- the discriminatory nature of its application.

The *Little Children* report did not mention internet pornography as a problem in Aboriginal communities (focusing on DVDs and videos) and made no recommendations concerning computers (Magarey *et al.* 2007). Given the questions raised and the lack of detail in some of the provisions, this ‘apparent disjuncture’ between the policy and the report was troubling.

Perhaps one of the most contentious measures in the NTER was the compulsory acquisition of Aboriginal land held under the *Native Title Act* or managed under lease agreements. The first of these was the acquisition of ‘prescribed townships’ through five-year leases. The Digest authors point out that while the justification for this measure was the protection of children, the idea had been on the Howard Government’s agenda for some years (Magarey *et al.* 2007). Initially, it was intended to facilitate the ‘possibility’ of private home ownership by sub-leasing to individuals as ‘private land’. This was supported by Hughes and Warin’s (2005) article that argued ‘[c]ommunal ownership of land, royalties and other resources is the principal cause of the lack of economic development in remote areas’ (in Magarey *et al.* 2007, 48). This argument was refuted, citing an Oxfam Australia report by Altman, Linkhorn and Clarke (2005) that rejected ‘the notion that private individual ownership of low-value land in remote settings can be the driving force in addressing housing or other needs’ (in Magarey *et al.* 2007, 48). Economic development was curtailed by geographical issues such as distance to markets, low population numbers and density, and structural issues such as poverty, low education levels ‘and the generally economically marginal nature of most Aboriginal lands’ (Altman, Linkhorn and Clarke cited in Magarey *et al.* 2007, 48). The provisions set out the conditions under which the Commonwealth can acquire ‘rights, titles and interests’ over Aboriginal land and defines the land that is eligible. The Digest authors raised the fear that the compulsorily acquired five-year leases ‘may prove a stepping stone to 99 year leases – with failure to solve all community problems inside five years being used’ as justification (Magarey *et al.* 2007, 49). The media release in June included the promise of ‘just terms compensation’ for compulsory acquisitions but this was diluted in the legislation, an issue that will be explored further.

The second compulsory acquisition of land came through alterations to land tenure that were intended 'to enable town camps to become normal suburbs' (Hunter 2007, 35-6). Aboriginal town camps surround urban areas and were currently managed by Aboriginal corporations under the *Special Purpose Leases Act* held in 'perpetuity' or came under the *Crown Lands Act* (Magarey *et al.* 2007, 50). Both came under Northern Territory jurisdiction. The Commonwealth Government had previously suggested the takeover of town camps but the Northern Territory Government had expressed the desire to work with the residents to make changes without resorting to compulsory acquisition. This section of the legislation empowers the Commonwealth Minister 'to act as the NT Minister or Administrator', giving him the power to acquire town camp leases held under the *Special Purpose Leases Act* or the *Crown Lands Act*, after giving due notice (Magarey *et al.* 2007, 51). This would vest all rights, titles and interests in the Commonwealth free from all existing rights, obligations or mortgages, etcetera. These provisions give the 'Minister a broad discretion to suspend the normal operation of any Commonwealth law affecting actions' within the land acquired (Magarey *et al.* 2007, 53).

The legislation included provisions to modify governance in Aboriginal communities. The provision for 'business management areas' (BMAs) would introduce 'stringent Commonwealth control over a number of aspects of community governance in Indigenous communities' (Magarey *et al.* 2007, 54). These responsibilities had been devolved to Aboriginal community councils through Northern Territory legislation in 1978-79, under the Self Determination policy. They included the provision of government services (health, housing, sewerage etc.), asset management, issuing permits and acting as agent for government authorities (Centrelink, Australia Post, etc.) (Magarey *et al.* 2007). The *Little Children* report identified many challenges facing Indigenous communities, including (Magarey *et al.* 2007, 54):

- General lawlessness
- The struggle of small organisations to develop and sustain their service capacity
- Frail administrative systems
- Difficulties with the continuity of professional staffing
- Difficulties in delivery of positive and sustained tangible outcomes for community members

- Overcrowding in communities
- Overcrowded and inadequate housing

These criticisms ‘provided the Commonwealth with a catalyst’ for the proposed amendments (Magarey *et al.* 2007, 54). The provisions define the criteria for BMAs but also ‘gives the Commonwealth unrestrained power to create business management areas in the Northern Territory’ (Magarey *et al.* 2007, 55). This would see decisions over expenditure, reporting, appointing managers and using assets in business management areas come under Commonwealth preview. These amendments allow the Commonwealth to ‘unilaterally’ alter or cease funding without liability for any negative outcomes of such decisions. They also give the Minister the power ‘to give direction to a community services entity ... if ... services are not being provided ... to the Minister’s satisfaction’ (Magarey *et al.* 2007, 56). This includes discretion over the management of assets and ‘civil penalties for failure to comply with directions’ (Magarey *et al.* 2007, 57).

The ‘most significant’ changes are those designed to impose ‘external administration’ on to community run organisations (Magarey *et al.* 2007, 58). This involves legislative changes to both the *Local Government Act* and the *Associations Act* that give the Commonwealth Minister the power to dismiss or suspend members of community government councils (in receipt of funding) and appoint external managers. In order to dismiss an entire ‘council and assume the exercise of power’ the Minister would have to be ‘satisfied’ that government ‘funding ... could be used to provide the services’ (Magarey *et al.* 2007, 58). Similar powers are given over incorporated associations. The Digest authors argue that these amendments could create issues over ‘accountability and scrutiny’.

The alteration to bail and sentencing excludes any consideration ‘of customary law or cultural practice’ from judiciary discretion when setting bail or determining sentence in the Northern Territory (Magarey *et al.* 2007, 59). It also directs that the possible ‘effect on (alleged) victims and witnesses’ must be considered when granting bail (Magarey *et al.* 2007, 59). This decision comes in

the wake of a push by the Commonwealth Government to induce the states and territories to alter these provisions. The Council of Australian Governments²⁶ had:

agreed that 'no customary law or cultural practice excuses, justifies, authorises, requires, or lessens the seriousness of violence or sexual abuse' ... and followed the recommendations of the Intergovernmental Summit on Violence and Child Abuse in Indigenous Communities on 26 June 2006 (Magarey *et al.* 2007, 59).

The Digest authors argue this Bill is attempting to 'set an example to the States' on the issue. The Minister, Mal Brough, went one step further by linking Indigenous program funding to making the desired amendments. The Human Rights and Equal Opportunity Commission (HREOC) has argued that customary law should always be considered but it should be applied 'consistently with human rights principles' (Magarey *et al.* 2007, 60). The Senate Committee criticised:

the haste with which the proposals in the Bill have been drafted and introduced into Parliament, without adequate, if any, consultation with Indigenous and multicultural groups [and noted that] the most concerning feature of the Bill is the symbolic message that it sends to the judiciary (and the community at large), and the judicial uncertainty it may create (Magarey *et al.* 2007, 60).

In a submission from the Law Council of Australia, the provisions were described as 'an abuse of appropriate criminal proceedings' (Magarey *et al.* 2007, 61).

The proposed changes to community store management to improve the nutritional value of food and its affordability involved the introduction of licensing provisions. The measure to licence community stores was intended to address the problem of poorly managed stores stocking 'low quality goods sold at high prices ... to improve the lives of Indigenous people' (Magarey *et al.* 2007, 61). The Digest authors argue the main aim was to maximise Government welfare payments, given the high cost of living in remote communities. The Bill introduced a new licensing regime which required stores be assessed against a range of criteria (with seven days notice). The criteria included the ability to comply with the *income management regime* also being introduced; the suitability of the groceries stocked; business practices such as pricing and wages; and, other matters 'at the Minister's discretion' (Magarey *et al.* 2007, 62). Under the Bill, licenses could be revoked,

²⁶ Council of Australian Governments includes the Commonwealth and all state and territory governments.

surrendered, varied or transferred. It also allows the Commonwealth to acquire all assets and liabilities if a licence was refused. It gives the Secretary the power to request information and impose penalties for non-compliance. The Digest authors question the 'extent of discretionary power ... provide[d] to the Secretary and officers', the lack of any avenue of appeal and argue the provision 'does not sit comfortably with general concepts of fair trading' (Magarey *et al.* 2007, 63).

The *Northern Territory National Emergency Response Bill* suspended the operation of free trade under the *Self-Government Act*, 'just terms' compensation for compulsory acquisition, and all Northern Territory law dealing with discrimination. These issues will be discussed after examining the other two legislative bills.

The second piece of legislation, the *Social Security and Other Legislation Amendment (Welfare Payment Reform) Bill 2007* introduced 'unprecedented' change to government welfare entitlements (Yeend and Dow 2007, 17). The Bill made amendments to Social Security legislation in three different jurisdictions: the Northern Territory (prescribed communities); Queensland (the four Aboriginal communities in the Cape York Welfare Reform trial); and, nationally. The welfare reforms were considered 'necessary' to 'support' the government's response to the *Little Children are Sacred* report. The Bill was criticised for extinguishing the inalienability of welfare payments, the discriminatory nature of its application and its heavy reliance on legislative instruments.

Traditionally in Australia, government welfare payments have been 'inalienable'; they cannot be withheld from eligible people and they cannot be paid to a third party (Yeend and Dow 2007, 17). However, this was essentially what the Bill provided for: the payment of part of the entitlement to a third party or withholding part or all of the entitlement. Because some of the changes applied only to Aboriginal people, the provisions are discriminatory. To avoid the operation of the *Racial Discrimination Act*, the provisions were defined as 'special measures'. Thus, 'the operation of Part II of the RDA ... prohibiting racial discrimination' is suspended (Yeend and Dow 2007, 4). Another criticism of the Bill is the extensive use of legislative instruments: something that has been 'very

minimal' in all three major acts governing the provision of welfare payments in the past (Yeend and Dow 2007, 7). This is because legislative instruments receive less scrutiny by Parliament and can often pass without Parliamentary debate. Historically, qualifications and requirements have been clarified within the legislation. However, the Howard Government had previously moved away from this precedent. In 2003, for example, the *Welfare to Work* initiatives, made 'extensive use' of legislative instruments (Yeend and Dow 2007, 7). The Digest authors speculate that the tight timeframe may have made 'detailed provisions' difficult to develop; it certainly reduced the level of Parliamentary scrutiny possible.

The income management/maintenance provisions would apply to welfare recipients in four different categories. First, if they are resident in a 'specified area' of the Northern Territory; secondly, if a Queensland Commission requests its application to someone under their jurisdiction; thirdly, to protect 'a child of the person'; or, finally, if their child's attendance at school is 'unsatisfactory' (Yeend and Dow 2007, 6). Only the first applied directly to the Northern Territory. This is determined geographically with the declaration of 'specified areas' subject to ministerial discretion (Australian Government 2007). Generally, ongoing payments like income support would have 50 per cent of the amount diverted to an income maintenance regime (IMR) account but 'lump sum' payments, like the 'baby bonus' would be entirely 'quarantined'. In effect, the quarantined (or diverted) amount was credited to a store where the recipient could purchase groceries (Carney 2007c). However, in the Bill under consideration, the details were yet 'to be set out in a Legislative Instrument' (Yeend and Dow 2007, 8).

In the second category, one of the four Commissions established under Noel Pearson's Cape York Welfare Reform agenda could request a person be placed under the IMR provisions (Carney 2007a; Yeend and Dow 2007, 8). The guidelines are not included in the Bill and would be the subject of a

legislative instrument. The 'diversion amount' would be determined by the Secretary²⁷ and not subject to Parliamentary scrutiny (Yeend and Dow 2007). However, the principles operating in Cape York stand in stark contrast to the legislation operating in the Northern Territory. Each Commission would have local representation, the person in question would receive three warnings and they would have failed to ensure one of the two subsequent categories – the safety of the child or acceptable school attendance (Carney 2007a). The Cape York case is considered more closely later.

Like Cape York, the third and fourth categories apply once a person is deemed to have failed in their duty of care towards their child/ren. These would also involve case-by-case assessment. In the instance of child protection, a request to apply the IMR provisions could be made by a state or territory child protection officer (Yeend and Dow 2007, 8). The decision to apply IMR due to unsatisfactory school attendance would rest with the Secretary, along with the power to demand that parents provide proof of adequate attendance. The criteria informing these decisions would be set out in legislative instruments. Unlike the first two categories, these are not geographically or racially specific; they can apply to anyone, anywhere. The money held in IMR accounts are to pay for 'priority needs' (a term which is not defined) in 'the best interests of the children' (Yeend and Dow 2007, 9). Under these sections, in most cases 100 per cent of 'virtually all income support and supplement payments' can be diverted to an IMR account (Yeend and Dow 2007, 11). The Digest authors point out the severity of this measure and speculate it might be designed for 'immediate impact and response'. It certainly allows for 'flexibility' in such a 'very new territory for legislators and administrators in the welfare payments area' (Yeend and Dow 2007, 18).

The third bill, the *Families, Community Services and Indigenous Affairs and Other Legislation Amendment (Northern Territory National Emergency Response and Other Measures) Bill 2007*, made changes to existing legislation on pornography, law enforcement, infrastructure and access to Aboriginal land. The ban on pornography within 'prescribed areas' was justified by the finding in the

²⁷ The Secretary to the Department of Families, Community Services and Indigenous Affairs, as defined in the *Social Security Act 1991*.

Little Children are Sacred report that sexually explicit material was used to normalise sexualised and violent behaviour in children, grooming them for exploitation. Current Northern Territory legislation covers possession with the 'intention of selling, copying or hiring' pornographic material (Harris Rimmer *et al.* 2007, 14). But the Bill goes beyond this to prohibit its possession or control within 'prescribed communities' (Harris Rimmer *et al.* 2007, 14). It also covers the supply of this 'restricted material' to prescribed communities and contains 'search and seizure' provisions. The Bills Digest authors warned this abandons the 'cooperative classification scheme' that has operated successfully between the Commonwealth Government and the states and territories for over a decade (Harris Rimmer *et al.* 2007, 26). They cite a social commentator, Bettina Arndt (2007), who described the legislation as a 'red herring and a token gesture designed to convince people that there is a quick fix for the horrendous sexual abuse taking place in some indigenous communities' (in Harris Rimmer *et al.* 2007, 27). Legally available material is not the problem. Arndt (2007) pointed out that the material covered by the legislation is 'mild in comparison with the unclassified and illegal violent sexual material that has readily been available in the Northern Territory' (Harris Rimmer *et al.* 2007, 27). The *Little Children are Sacred* report suggested the current Northern Territory legislation actually be *enforced* to ensure children are not being exposed to this illegal material and that education programs be used to reinforce the message. The NTER legislation made no reference to this stronger material.

The changes to law enforcement brought Indigenous violence and child abuse under the mandate of the Australian Crime Commission (ACC) and deployed 'Australian Federal Police as 'special constables' to the Northern Territory Police Force' (Harris Rimmer *et al.* 2007, 3). The stated rationale for broadening the authority of the ACC and deploying federal police was to ensure the safety of Aboriginal children. Previously, the ACC had a 'range of special coercive powers' mandated to reduce 'serious and organised crime' (Harris Rimmer *et al.* 2007, 15 and 17). This would be expanded to include 'Indigenous violence or child abuse' (Harris Rimmer *et al.* 2007, 17). Some of these changes – for example, doubling the appointment term of an examiner of the ACC – had no

bearing on child abuse and in that sense their inclusion in the Bill appeared 'opportunistic' by using the cover of the 'emergency' to pass with little scrutiny (Harris Rimmer *et al.* 2007, 25-6). Attorney-General Williams (2002) noted that during the establishment of the ACC, its special coercive powers had been carefully limited to combating 'complex criminal activity engaged in by highly skilled and resourceful criminal syndicates' (in Harris Rimmer *et al.* 2007, 28). In the absence of organised crime, the use of a 'non-punitive approach' was far more appropriate than the powers of the ACC to combat child abuse. The alterations to the ACC's powers were not debated prior to the introduction of the Bill and the Digest authors urged that the decision should not be rushed given that the final report on a recent ACC review was 'imminent'. There were also two other unrelated Bills before the House of Representatives at the time, which if passed would significantly increase the powers of the ACC. These law enforcement measures were not recommended by the *Little Children are Sacred* report. The definition of crime that would gain ACC attention was 'violence or abuse 'by, or against, or involving an Indigenous person'' making the legislation discriminatory and therefore '[in]consistent with international law' (Harris Rimmer *et al.* 2007, 28-29).

The NTER included 'a range of Commonwealth building programs, such as accommodation for Commonwealth public servants' (Harris Rimmer *et al.* 2007, 19). The infrastructure section of the Bill ensured the Commonwealth retained an interest in any improvements they made on Aboriginal land. This included funding for new constructions or major upgrades valued at over \$50 000. However, there was a possibility that this might 'trigger a compulsory acquisition of property rights' issue, which in turn raised the issue of 'just terms' compensation (Harris Rimmer *et al.* 2007, 19).

The Amendment would change the provisions over access to Aboriginal land by revoking the permit system in all Northern Territory Indigenous communities. The permit system was a remnant of the Protection policy (Law and Bills Digest Section and Social Policy Section 2007). It was originally used by authorities to separate the two populations by controlling the movement of Aboriginal people on one hand and excluding non-Indigenous people from reserves and missions on the other. The

second function was retained by Aboriginal people when control was devolved to them under the Self Determination policy. This gave control over access to communally held land, similar to that provided under private property law. The Bill set out ‘a long list of people who may enter or remain on Aboriginal land’, ranging from the Governor-General, government members, electoral candidates or officials (Northern Territory or Commonwealth) through to anyone acting in accordance with relevant laws (Harris Rimmer *et al.* 2007, 19). Child protection workers or police are not mentioned on this list. The schedule gave the Minister authority to give any ‘person, or class of persons’ the same access. It also opened up ‘common areas’ to anyone acting within the law.

The four bills digests compiled to inform the decision of the Parliament, and subsequently the Senate, were quite critical of a range of factors, including the short timeframe, the lack of detail due to the extensive use of legislative instruments and many of the measures. The Digest authors quote Ken Henry, the Secretary of the Department of Treasury, who was critical of the lack of Indigenous input into the policy. Henry argued that Indigenous development needed Indigenous ownership ‘of both the problems and the solutions’ (in Law and Bills Digest Section and Social Policy Section 2007, 6):

People who are affected by policy have a **right** to be involved in its development – that is no more than a statement of the primary rationale for democracy. And ... people who are affected by policy also have a **responsibility** to be involved in its development (LBDSSPS 2007, 6). (Authors’ emphasis)

The Aboriginal and Torres Strait Islander Social Justice Commissioner, Tom Calma (2007), also criticised the exclusion of Indigenous communities from the decision making process (in LBDSSPS 2007, 7). The Government’s description of the policy as an ‘intervention’ was ‘intentional’ and pointed to their failure to build relationships with communities. Calma (2007) also questioned how communities were selected without any hard data or needs analysis, and asks how the ‘lasting change’ professed by the Government could be assessed given this deficiency. At best, the NTER ignored policy initiatives currently in train, which included the compilation of baseline data for

communities already identified as 'in crisis'. At worst it would disrupt these initiatives. And, as Calma pointed out:

The greatest irony of this is that it fosters a passive system of policy development and service delivery while at the same time criticising Indigenous peoples for being passive recipients of government services! (LBDSSPS 2007, 7).

Ian Anderson (2007) reviewed the *Little Children are Sacred* report and argued that:

None of the ... measures announced by Prime Minister Howard are ... to be found in the strategies recommended by the Anderson/Wild report ... for instance, scrapping the permit system, assuming control of Aboriginal land and instituting welfare reform – are simply not raised in the Anderson/Wild report (LBDSSPS 2007, 6).

Not only were the measures outside the recommendations but some could do more harm than good. Anderson (2007) warned that:

Current evidence suggests that enforced alcohol restrictions, in the absence of broader strategies to deal with addictions, simply reduce supply and tend to shift problem drinking into unregulated areas, such as Alice Springs town camps. [This single measure] ... may, in fact, result in increased harm from violence and abuse in these communities (LBDSSPS 2007, 6).

Similarly, the rationale for removing the permit system – that it hid child abuse and protected paedophile rings – was interrogated. The Digest authors pointed out that the 'causal nexus' between the permit system and child abuse was 'disputed' (Harris Rimmer *et al.* 2007). A range of 'valid opinion' objected to the removal of the system because children would be *more* vulnerable. Even the police objected to the removal of permits because it would make their work much harder.

The hasty formulation and passage of the Bills was justified by declaring an 'emergency', requiring the 'protection of the child'. The same justification was given for the suspension of the *Racial Discrimination Act*. But many of the measures exempt from the Act had no bearing on child abuse (Harris Rimmer *et al.* 2007); for example, doubling the appointment term of an examiner of the ACC, or the Commonwealth retaining control of any Indigenous community infrastructure it renovates. The Digest authors described using the 'emergency' to fast track such ancillary policy as 'opportunistic'. Some of the most far-reaching amendments do not apply exclusively to the NT or Aboriginal people. The changes to government welfare payments are unprecedented in that they go

against the fundamental principle of inalienability. In some cases, they give the power to divert all government income payable 'to persons with lesser means to support themselves' (Yeend and Dow 2007, 17). This goes well beyond Indigenous citizens: the provisions to quarantine welfare payments apply nationwide and the Bill contained little detail on the criteria for determining 'adequate school attendance'. The burden of proof falls on the welfare recipient, guilty until they can prove themselves innocent. It is doubtful that such sweeping changes would have passed with such little time, debate or scrutiny, without the 'national emergency'. The severity of some of the measures, the haste of the decision making process and the lack of detail due to the extensive use of legislative instruments, are all issues of concern.

The legal foundation for the compulsory acquisition of Aboriginal land through five-year leases was questioned. 'The unusual drafting of the provisions mean that a constitutional challenge could be made ... which creates uncertainty about the validity of the Bill' (Harris Rimmer *et al.* 2007, 26).

Compulsory acquisition raises the question of compensation, which also applies to the Commonwealth retaining ownership of infrastructure, which it builds or renovates on Aboriginal land. The Commonwealth Constitution and Northern Territory law both require 'just terms' compensation when the government compulsorily acquires property (LBDSSPS 2007, 14-15).

However, the Commonwealth Government assumed control in the Northern Territory through the Constitution, which does not expressly apply to the territories. The Commonwealth has exploited this ambiguity by substituting 'just terms' with 'a reasonable amount of compensation'. This circumvents 'the standard Constitutional position' based on common law precedents and judicial scrutiny (LBDSSPS 2007, 15). Under the Bill, in the event of a disagreement over the amount of compensation, the owner would need to 'commence proceedings'. The legislation sets out the factors relevant to the court in determining what a 'reasonable amount' might be in such proceedings. However, in a common law determination in 1983, Justice Dean found

compensation provisions ... inadequate because of the intrinsic unfairness in the procedure which in effect ensured that unless a claimant agreed to accept the terms

offered, he would be forced to wait years before he could get a court determination (LBDSSPS 2007, 13).

The section on 'reasonable amount' entails just such a process. The substitution of 'just terms' with 'a reasonable amount' also reneges on the original announcement.²⁸

The lack of judicial scrutiny was also identified as a problem in determining what qualifies as a 'special measure' under the RDA (LBDSSPS 2007, 8- 9). Under the RDA, it is prohibited to discriminate against people on the basis of race. Many of the NTER measures either discriminate directly; compulsory acquisition applies only to Aboriginal land, or indirectly; welfare quarantining is based on residence in a 'prescribed community' thereby only capturing Aboriginal people. The NTER circumvented this problem in two ways. First, the RDA permits discrimination if it promotes the interests of disadvantaged racial groups. This is commonly called 'affirmative action' or 'positive discrimination' but is also known as a 'special measure'. The changes to welfare payments were declared to be special measures, despite the fact that they 'do not immediately constitute a material benefit' (LBDSSPS 2007, 11). This declaration preempted the normal judicial scrutiny to determine what qualifies as a special measure. It is debatable whether the measures:

confer a benefit ... [with] the sole purpose of securing adequate advancement ... [and] provide protection ... to the beneficiaries ... in order that they may enjoy and exercise human rights and freedoms equally with others (LBDSSPS 2007, 9-10).

The second strategy was 'to suspend the operation of Part II of the RDA, which includes the operative provisions prohibiting racial discrimination' (Yeend and Dow 2007, 4). Both are likely to have implications for Australia's compliance with the international treaty that underpins the RDA (LBDSSPS 2007).

New Policy or Old Agenda?

The Emergency Response was criticised for the unseemly haste with which it was formulated and passed by both houses (Hinkson 2007). However, many of the measures had been proposed before

²⁸ Contained in the media release – see page 166.

and/or fitted with the Government's long-term agenda. The haste in finalising the CYWR report and Brough's belated support for the trial – the month the *Little Children are Sacred* report was handed to government – raise questions about the lead-in time. John Taylor (2009) argues that the NTER policy was designed to force a demographic shift from outstations and small communities to larger Indigenous centres or mainstream urban areas. This demographic shift away from outstations was first mooted in 2005, when the then-Minister for Aboriginal Affairs, Amanda Vanstone, began questioning the 'economic viability' of remote communities (ABC 2005, np). Vanstone likened these settlements to 'cultural museums', which lock their inhabitants into a romanticised ideal of Aboriginal culture, excluding them from the 'benefits' of the mainstream economy. The fact that people living in fringe camps were also missing out on these 'benefits' despite their proximity to the 'real economy' (Altman 2007), was not addressed. This media spin also altered the discourse: homelands could not be considered 'communities' and the larger settlements should be thought of as 'townships'. This agenda advanced the aim of reducing the cost of service provision to remote communities.

Several of the NTER measures encouraged this demographic shift. For example, it was warned that bans on alcohol would simply move problem drinking, not solve it. The non-legislative changes to welfare included the removal of 'exemptions' for unemployment benefit recipients (Taylor 2009). This meant that unemployed people living in remote communities (where work opportunities were virtually non-existent) would be required to search for work. This would force many remote residents to relocate, to avoid losing their living allowance. The proposal to scrap the Community Development Employment Projects (CDEP), once it became apparent these wages could not be quarantined under the new legislation (Altman 2007), would reduce both employment and basic services in remote locations. The push from the bush to town is clear.

Conclusion

The NTER comprised a complex array of policy measures. The *Little Children are Sacred* report was used as justification for the policy but its recommendations were largely ignored. Policy professionals advising the Parliament were critical of many of the measures. Some diluted important human rights principles, such as the inalienability of welfare payments. The wisdom of making such decisions in haste was questionable. They were also critical of the opportunism of including legislation that had no bearing on child welfare or Northern Territory communities. However, much of the legislation that did pertain to Aboriginal communities – but not child welfare or ‘normalising’ behaviour – took the opportunity to push through the Government’s agenda without due scrutiny. The next chapter analyses the complex raft of measures by applying the Australian policy cycle model.

NTER: The Policy Cycle

The Howard Coalition Government's record on Indigenous Affairs was lacklustre at best, at the time the NTER was introduced. The announcement of a 'national emergency' to save the children came a few months before the 2007 federal election. It took many commentators (and, as it transpired, many of the Government's own policy professionals) by surprise. Many commentators doubted the sincerity of the sudden desire to 'save the children'.²⁹ It was not the first report on child abuse in Aboriginal communities and it was not the first time the Howard Government had used the plight of children to sway public opinion. In 2001, hazy film purportedly of refugee children being thrown overboard was used to mobilise bias against 'illegal' immigrants arriving by boat (Allard 2004). The Liberal election victory that year was certainly influenced by those images and the Government's claims that 'asylum seekers had thrown their children into the water off northern Australia in an attempt to blackmail their way into the country' (Allard 2004, np). It was not until later that the truth came out: the boat was sinking and the children – thrown into the arms of waiting adults – were being rescued. Still photographs and a short piece of film, which concealed more than they revealed, were used artfully to mobilise the UAE. The media frenzy that ensued served to suspend the incredulity of most Australians.

The hasty nature of the policy proposal soon became apparent. Only one week after the NTER was announced, the Minister for Health, Tony Abbott, retracted the 'compulsory' child health checks. They would actually be voluntary 'but we do very strongly advise parents to get these' (Johns 2007, 328). Community development employment projects (CDEP) would also have to be scrapped, as wages paid under the scheme could not be quarantined. It was clear that the full implications of all of the measures had not been considered before the press conference. With only seven weeks

²⁹ For a range of critiques, see Altman, J. and Hinkson, M. 2007, *Coercive Reconciliation: Stabilise, Normalise, Exit Aboriginal Australia*, Melbourne, Arena.

between the announcement on the 21st of June and the legislation going before Parliament on the 7th of August, just getting it drafted must have taken a gargantuan effort. The documentation tabled before Parliament entailed three major bills and two appropriation bills totalling some 541 pages of enacted law. Four bills digests were compiled: one for the Parliament, which became three separate digests to inform the Senate decision. The legislation was passed in the House of Representatives on the same afternoon it was tabled. As the previous chapter demonstrated, there was little correlation between the recommendations from the *Little Children are Sacred* report and the legislation enacted (LBDSSPS 2007).

Assessing the Intervention – Applying the Policy Cycle

The wide range of measures discussed in the previous chapter will be analysed using Bridgman and Davis's Australian policy cycle framework, reviewed in Chapter 2. The sequence of events in the decision making process is compared to that advocated in the policy cycle, to assess its efficacy against mainstream policy criteria. My first attempt at analysing the intricacy of the NTER through the policy cycle proved difficult. I found myself subconsciously fitting the elements into steps in the cycle, conveying the impression of a reasoned process, despite my comments to the contrary. This experience substantiated Stone's (2002) warning that simply fitting information into such 'rational' frameworks can lend legitimacy to the actions described. The unusual circumstances surrounding the NTER made this tendency difficult to counteract. Because of this and in an attempt to maintain (as far as possible) the actual sequence of events, the order of the steps has been altered. The number beside each subheading denotes its original place in the cycle. Where several steps 'occurred' concurrently, the sequence tries to follow that of the documentation or release of information.

1. Identifying Issues

A week before the NTER was announced Pat Anderson and Rex Wild launched their *Little Children are Sacred* report to the public (Wild 2007). This sort of media attention is identified by Bridgman

and Davis (2004, 37) as an 'external driver' that can get an issue on the agenda. There were unlikely to be internal drivers or regular government processes that would flag the issue at the Commonwealth level because child abuse usually falls under state or territory jurisdiction. Bridgman and Davis (2004, 38) argue there are four simple conditions which have to be met in order to get an issue on the agenda. The NTER met the first two: there was broad agreement that the problem existed and that it was an appropriate use of resources. However, it had existed for decades without warranting Commonwealth attention. It could also be argued that the evidence for the extent of unreported abuse was anecdotal (Anderson and Wild 2007) and therefore circumstantial. Howard had questioned anecdotal evidence before, when voicing his 'doubts about the intellectual rigor' of the *Bringing Them Home* report in 1998, to justify ignoring its recommendations (Howard 2010, 279). The other two conditions, that it was the government's responsibility and that there was a reasonable prospect of solution, were not met. Child protection is a state (or territory) responsibility. John Howard admitted he was taking advantage of the Constitutional power of the Commonwealth over the Northern Territory to intervene in an area that is clearly not Commonwealth responsibility (Brissenden 2007). As for the likelihood of a solution, Aboriginal disadvantage and the problems that flow from it, such as social anomie, fit the definition of a 'wicked problem' (Hunter 2007). This is a problem with no clear boundaries, whose causes and solutions are contested, and with no realistic hope of a solution. In fact, instead of explaining how the problem got on the agenda, Bridgman and Davis's (2004) framework actually illustrates how the issue of widespread child abuse in Aboriginal communities remained *off* the Commonwealth Government's agenda for three decades. The failure of state and territory governments to respond to the problem in the past can be described as non-decision making (Bachrach and Baratz 1970; Bridgman and Davis 2004). Dominant values and the power differential between the two groups effectively smothered Indigenous calls for help.

It was an internal driver of another sort – Prime Minister Howard's interest – that initiated the policy. Apparently, it was Howard's comment to Brough 'that he was thinking of 'cutting off the grog' in Aboriginal communities in the Northern Territory' that put the issue on the agenda (Johns

2008, 70). It seems clear that political processes – in particular, the fact that it was an election year – overrode the normal considerations and processes. The public release of the *Little Children* report could just as easily have been used by the Howard Government as evidence that the Northern Territory Government had the problem ‘in hand’. The timing of the Government’s response, in the face of previous inaction, implies political motivation. The problem defined by the report was complete social breakdown in some Aboriginal communities. This was despite the narrow terms of reference set, something Mal Brough had input into (Howard 2007). But social breakdown is clearly an ill-structured problem in policy terms, with little consensus on causes or solutions. Therefore, the very tight problem definition of ‘child abuse’ was employed, narrowing the range of possible solutions.

6. Decision Making

Bridgman and Davis (2004) argue that decisions made in Cabinet are pivotal in the policy cycle, establishing the appropriate context of this step in the cycle. Cabinet sets the agenda for the executive, which controls both the public service and the numbers in parliament (Bridgman and Davis 2004, 106). The matter was first raised in Cabinet on Monday 18th June by Prime Minister Howard, who wanted to stop access to alcohol (Johns 2008, 70). Minister Brough wanted more than a ‘standalone measure’ and so ‘was asked to bring a package to Cabinet later that week’ (Johns 2008, 70). The NTER, which involved both legislation and significant resources, was ‘born’ by Thursday’s Cabinet meeting. The decision seemed to precede almost all other steps in the policy cycle. The NTER was announced like a policy release in an election campaign, more akin to a statement of intention than a cohesive policy. However, the presence of the Prime Minister, the immediate implementation of some of the measures and the import of the message – declaring a ‘national emergency’ – placed the full weight of the Government behind the policy. This was no vague election promise. The policy advice tabled in Parliament consistently attributes the source of the initiative to the press conference held by John Howard and Mal Brough on the 21st June 2007, rather than a Cabinet directive (LBDSSPS 2007; Magarey *et al.* 2007). In an article analysing the

policy, Gary Johns (2008) provides some insight into *how* the decision was reached, which will be considered in the next chapter. When the legislative *Authority to Introduce* submission, setting out the bills to be tabled in Parliament, went before Cabinet, there were no consultation results or policy analysis to be considered: the decision came first.

3. Policy Instruments

The NTER counteracts the wider trend away from coercive policy instruments, noted by Bridgman and Davis (2004, 68). One of the reasons for this trend – the use of Parliamentary committees – was severely curtailed in the deliberations on the NTER bills. Only one day was allowed for the Senate Legal and Constitutional Affairs Committee hearing to consider the three bills and 150 submissions. It was held on a Friday, with the report due on the following Monday (Harris Rimmer *et al.* 2007). The NTER falls at the ‘compulsory’ end in the range of possible instruments, using legislation to shape individual behaviour through coercion.

Many of the instruments were vague and sketchy. Much of the detail pertaining to changes in welfare payments would be ‘set out in various different legislative instruments to be made by the Minister’ (Yeend and Dow 2007, 7). Historically, these details would have been encompassed under the welfare legislation, not left to legislative instruments. Yeend and Dow (2007, 7) note:

the very short lead time ... [was probably insufficient] to develop and write the detailed provisions ... considering the ... arrangements ... are unprecedented and very new.

The Howard Government set a precedent for the extensive use of legislative instruments in the *Welfare to Work* initiatives passed in 2005. The use of legislative instruments left the contentious details to be decided behind closed doors and, as Bridgman and Davis (2004) point out, ‘the devil is in the detail’.

Bridgman and Davis (2004, 75) warn against using policy instruments to define problems, arguing that it is important to keep the two separate. The previous chapters revealed that the policy instruments used in the Response were anything but new. Income management had been trialed in

an SRA (until its legality was questioned) and rolled out in Cape York. Brough had been pushing for leases to facilitate private home ownership on communally owned land. Many of the measures would put pressure on people to move – to service hubs, or town camps – fulfilling the dual purpose of reducing service costs and integration into the ‘real economy’, both previously stated aims. The push for external management on Aboriginal communities resonates with the disbanding of ATSIC. Most of the instruments preceded the ‘problem’. This is exactly what Bridgman and Davis (2004) warn against: a solution looking for a problem.

While the most suitable instruments should be appropriate, efficient, effective, equitable and workable, Bridgman and Davis (2004) caution that no instrument can address a ‘wicked problem’. This may explain why the Intervention was so roughly ‘cobbled together’: it was not intended as a solution, but merely to give the impression of ‘doing something’. There appeared to be little ‘judgement’ used in choosing the policy instruments, much less ‘science’. Clearly, existing policy instruments were used to define the problem, effectively forcing many controversial measures through Parliament ‘in the name of the child’.

2. Policy Analysis

The level of policy analysis actually undertaken is questionable. Only one week elapsed between the public launch of the *Little Children are Sacred* report and the press release introducing the NTER. The NTER clearly did not accept the problem definition or the recommendations of the Report (Wild 2007), excluding it from consideration as part of the analysis process. Thus, to what extent did the five steps advocated for policy analysis (Bridgman and Davis 2004), much less the scientific *ideal* of the rational decision making process, shape the proposed policy? The problem was defined as child abuse, the goals and objectives were to change the behavior of Aboriginal people by restricting access to alcohol, controlling how welfare payments are spent and increasing surveillance. The other decision parameters included the allocation of resources, a five-year timeframe and a high priority. The narrow problem definition left other considerations – such as the underlying reasons for social

breakdown – outside the policy parameters. If Garry Johns (2008, 70) is correct, the search for alternatives consisted of Minister Mal Brough writing a list headed ‘How do you fix a town?’. There was obviously no time to conduct predictive modeling or to establish criteria for implementation and evaluation. As was noted by the Human Rights Commissioner, Tom Calma, there were studies underway to establish baseline data in crisis communities. Not only did the NTER ignore these initiatives, it was thought likely to derail them. The limited timeframe also left little opportunity to expose assumptions and test them. Despite talk of economic development and engaging Aboriginal people in the ‘real economy’, none of the three economic frameworks – cost-benefit, cost-effectiveness or opportunity cost analyses (Bridgman and Davis 2004) – were in evidence. Of course, economic analysis is hardly the best tool for social policy.

Social analysis relies the on ‘social justice principles’ of individual rights, equity, social participation and access to social services. Ideally, social analysis should be carried out to avoid unintended consequences to the most marginalized within society (Bridgman and Davis 2004, 59). The NTER targeted the most marginalised demographic group in Australia. Sections of the policy *are* discriminatory, applying only to Aboriginal people and requiring the suspension of the *Racial Discrimination Act* (LBDSSPS 2007). Everyone on welfare payments within ‘prescribed’ communities would be affected by welfare ‘quarantining’. There was no requirement to prove lapsed responsibility, neglect or abuse of children. As it transpired, even old-age pensioners without responsibility for children would have half their pension quarantined (Carney 2007c). This blanket approach was intended to control ‘humbugging’ (ABC 2007b). The initial consideration of principles of social justice appeared to be limited to the legalisation required to circumvent anti-discrimination laws.

Legal analytical frameworks arise from the Parliament’s power to enact laws (Bridgman and Davis 2004). This was the only decision making process that policy analysis had some opportunity to influence. The authors of the bills digests (the explanatory documents tabled with the Legislation)

worked hard to bring issues arising from the legislation to the attention of the Parliament (LBDSSPS 2007). The seven-week period between the initial press release and the tabling of the bills in Parliament left a very short timeframe to formulate the legislation and then to provide policy advice. This period also saw amendments to the policy, such as the child health checks quickly being changed from compulsory to voluntary, scrapping Community Development Employment Projects (Altman 2007) and the watering down of the right to ‘just terms’ compensation for the compulsory acquisition of property. It also became clear that the *Racial Discrimination Act* would have to be suspended. Political consideration of the implications for human rights seems to have been limited to these demands. As Bridgman and Davis (2004, 65) point out, ‘[s]ometimes political exigencies direct that the starting point is a solution, dictated by the desire to act in a particular area ...’ This was certainly the case with the NTER. The general principles of democracy, justice, social reform and professional service that should guide legal policy analysis were sacrificed for political expediency. The lack of analysis could have been resolved – in part – by deciding to adopt the recommendations of the *Little Children are Sacred* report. The inquiry would then have constituted a degree of analysis. Bridgman and Davis (2004, 61) also make the point that Australian governments are ‘subject to the rule of law’. Their powers are limited under the Constitution or by general law pertaining to different jurisdictions. The Howard Government exploited ambiguities between the Constitution and Northern Territory law to circumvent these limits. The Digest authors questioned the legality of this strategy but the bills passed anyway.

4. Consultation

Bridgman and Davis (2004, 78) explain the majority of consultation occurs during the middle of the policy process, after the problem has been defined and the instruments have been identified but before the decision making stage. The sequence of events clearly precluded this, so no consultation was undertaken prior to the announcement of the decision (Hunter 2007; Nicholson 2010). This decision not to consult with the target group, despite this being crucial to finding ‘legitimate and

workable solutions’ (Bridgman and Davis 2004, 89), was clearly political. Even the minimum level of participation was not undertaken: informing the people who would be affected by the policy about the decision. The first they heard about it was through the media (Carney 2007c). Bridgman and Davis (2004, 87) demonstrated through Canadian experience that effective consultation with Indigenous peoples:

is intrinsic to effective public policy ... must be based on openness, trust, integrity, mutual respect ... should involve all parties ... affected by the outcome of legislation [and] implies shared responsibility and commitment.

Simply by adopting the recommendations of the *Little Children are Sacred* report, it could have been argued that the consultation – just like the policy analysis – had been carried out (to some extent).

The purpose of the consultation conducted by the Inquiry was to build trust. The authors of the report took pains to emphasize the importance of building trust when dealing with unreported child abuse (Anderson and Wild 2007). According to the policy cycle model, the architects of the NTER fell into ‘the most fundamental trap’ by failing to consult the people affected (Bridgman and Davis 2004, 88). This failure was justified by time constraints, in the face of the ‘emergency’. But a problem that has been recognised and ignored by government for three decades can hardly constitute an ‘emergency’.

5. Coordination

Commonwealth intervention into a state (or in this case territory) policy area was always going to create issues surrounding coordination. When asked at the joint press conference if the Northern Territory Chief Minister had been consulted, John Howard (2007, 8) replied ‘I endeavoured to contact Clare Martin earlier today and I was unsuccessful’. Apparently, Mal Brough had the same difficulty contacting the Chief Minister. Later that day, Clare Martin told the Northern Territory Parliament that the only information she had came from Mal Brough’s press release (Johns 2008). This falls well short of the policy cycle model.

Ideally, as Bridgman and Davis (2004) argue, coordination should lend legitimacy to government actions by fostering internal congruity, external equality, appropriate official behaviour and due process. At the very least, it should avoid 'harmful inconsistencies'. The process should begin with internal governmental consultation on the policy's appropriateness and fit with existing policy. This should have been followed by a review of central agencies to create a 'whole of government' approach, ensuring coordination from policy, financial and administrative perspectives. The secretive nature of the NTER process meant that Northern Territory agencies and indeed, the Chief Minister herself, heard about it through the media, just like the Aboriginal communities targeted. There were several major outcomes of this failure: embarrassing and expensive mistakes and uncertainties requiring alterations to the proposed measures; the anticipated lack of consistency; and, the need to negotiate a memorandum of understanding with the Northern Territory Department of Housing in retrospect.

Failure to co-ordinate created a range of avoidable issues. The CDEP – which created the only employment in most remote communities – would have to be scrapped because the payment could not be quarantined (ABC 2007b). Both the compulsory child health checks and 'just terms' compensation initially announced were not to eventuate. It was not until after implementation that replication of effort, inconsistency and inefficiencies in the child health checks became apparent. Staffed, mobile medical clinics were setup with military precision in remote communities to conduct the child health care checks (Carney 2007c). Due to lack of coordination, in many communities these ignored the pre-existing clinics with trusted and capable medical staff and well-kept historical health records. The 'fly-in' experts did not even consult these professionals on the ground. Without knowledge and trust of the local population, these health examinations could only be superficial at best. To the dedicated professionals who live and work in these remote communities, the profligate waste of money appeared criminal. Given years of underfunding, the cost of this exercise could have been spent on much needed equipment that would have long-term health benefits. It represented a pointless and expensive duplication of effort.

The use of federal police officers to increase the police presence in remote communities created unnecessary duplication of effort *and* resentment from the Northern Territory police. The federal officers were eligible for the benefits of overseas placements (pay, travel and leave entitlements) but the local police were required to do their stint as local placements without any recognition of the difficult circumstances (John Morgan³⁰ 2009, pers. com.).

Many of the measures undermined existing policies. The imposition of external managers threw doubt and uncertainty on the future of community councils. There was also serious doubt about the funding for community based initiatives already in place to protect children. For example, the NTER had undermined the ongoing funding for night patrols in Maningrida (Carney 2007c). The *Little Children are Sacred* report had identified this initiative to ensure the safety of children on the streets after dark as a model for future policy.

According to the Commonwealth *Cabinet Handbook*, 'legislation [should] be considered only as a 'last resort'' (Bridgman and Davis 2004, 98). Any submissions involving new legislation require consultation with the appropriate legal department. This may have avoided the uncertainty surrounding the legitimacy of suspending the RDA, which created censure within the international arena. Also, the legitimacy of Commonwealth jurisdiction within the Northern Territory and the dilution of 'just terms' compensation remained uncertain and therefore, open to legal challenge.

It was not until September 2007, well after the bills passed parliament that a memorandum of understanding (MoU) was thrashed out between Northern Territory and Commonwealth bureaucrats. When the document came to light in 2010, Rothwell (2010, 9) described the agreement as the:

means for Canberra to advance its goal of concentrating bush people into 'growth towns', and for the Darwin regime to gain more control of the rivers of money dedicated by the commonwealth to alleviating black disadvantage.

³⁰ A federal police officer stationed at Finke River – a remote community – in the Northern Territory, in 2010.

The accommodation reached ensured the Northern Territory Government's endorsement of the Intervention, in return for control of the housing funding. As Rothwell (2010) points out, the only losers in the deal were Aboriginal communities. The memorandum establishes the new model of service delivery which concentrates remote housing, services and infrastructure in designated townships, ensuring surrounding smaller communities would 'gradually wither away' (Rothwell 2010). The MoU cements the move away from Aboriginal community controlled housing *and* abandons the aim of private home ownership, which was the justification for the assumption of five-year leases. The new 'public housing model' would become the ongoing responsibility of the Northern Territory Government, under Territory Housing (Gibbons and Burgess 2007, 2). The MoU stipulated that new and (once it meets the standard) 'existing housing will transfer to publicly owned Territory housing' (Gibbons and Burgess 2007, 3). The funding 'envelope' of \$513.8 million would prioritise development in urban areas, with smaller communities secondary and 'other communities (including outstations/homelands)' entitled to less than 3 per cent of the total (Gibbons and Burgess 2007, 4). The agreement does express the Northern Territory Government's concern for the 'unmet need for infrastructure in some outstations' and contradicts the initial announcement of 'market based rent' with a more realistic 'affordable rent structure' (Gibbons and Burgess 2007, 5 and 3).

The unseemly haste and secrecy led to the failure to co-ordinate, missing a vital step, especially in a cross-jurisdictional context. The execution of the next two steps – implementation and evaluation – is beyond the scope of this study but they both need to be built into the policy design. Thus, the adequacy of the plans, goals and baseline data to facilitate these steps in the process are analysed.

7. Implementation

The mode of implementation is largely dictated by the policy instruments chosen. Implementation should be considered at the analysis stage and built into the policy design (Bridgman and Davis 2004, 116). Ideally, implementation will employ existing agencies and frameworks. Implementation failure

is likely to result from any weaknesses in the previous policy cycle steps, a lack of planning or inadequate resource allocation. Successful implementation requires:

- Valid assumptions underpinning notions of cause and effect. In the NTER, these assumptions were never clearly articulated and had no basis in policy analysis;
- Simplicity – in the number of steps, the number of actors involved and clearly defined lines of accountability. The range of measures were broad and complex, with little detail in the legislation, and even less about the implementation;
- Input from policy implementers during the design stage to encourage ownership. *The Australian Financial Review* found the:

bureaucratic and cabinet disquiet ... alarming. The bureaucracy's concern is simply about whether it has the physical capacity to implement the plan without creating a disaster (Harris Rimmer *et al.* 2007, 11);
- Ongoing evaluation to ensure policy learning (covered in the next section); and,
- Realistic goals. The mismatch between the measures and the 'problem' make the goals less than clear, so judging the likelihood of success is all but impossible.

Bridgman and Davis (2004, 125) argue the complexities of the federal system in Australia require a 'bottom-up process of negotiation between interests, greater local participation, and a willingness to live with some inconsistency and overlap'. While the latter was clearly in evidence, the former elements of negotiation and participation were sorely lacking.

Initial reports indicated that the lack of planning did have a negative impact on implementation. Restrictions on the sale of alcohol and quarantining of welfare payments placed significant burdens on retail outlets to administer the controls being imposed. Bottle-shops had to interpret and impose the restrictions, taking the details of Aboriginal customers (Magarey *et al.* 2007). This was potentially contentious, took time and went contrary to profit imperatives. The effectiveness would be difficult to determine. Welfare quarantining placed similar burdens on grocery retailers (Carney 2007c). Smaller shops in remote communities, without electronic funds transfer point of sale facilities, had

to maintain a running total of individual expenditure (ABC 2007b). Some customers would make two or three small purchases per day and it would be up to the shopkeeper to determine when an individual's credit was gone. In some remote communities, people received their 'quarantined' income through a 'basics card' tied to major supermarket chains, which could mean travelling long distances to buy basic groceries (Tranter 2009; Truman 2008). Designated checkouts for basics card users in these supermarkets effectively created a form of apartheid, making shopping embarrassing and shameful. There was anecdotal evidence that some pensioners had their cards stolen, or sold them for far less cash than the face value (Truman 2008).³¹ The details of implementation were omitted from the decision making process, not built into the policy design as advocated by the policy cycle model.

8. Evaluation

While the Commonwealth requires program design to include evaluation criteria that establishes 'performance indicators', these often have ambiguity built into them and therefore facilitate 'qualified, rather than absolute judgements' (Bridgman and Davis 2004, 132). Uncertain policy goals, problems in attributing cause, time limits and resistance can all confound the ability to make clear findings in evaluations. However, all four types of evaluation require baseline data to measure any change to the identified problem. The other requirement is clearly stated goals and objectives. None of these elements were in evidence in the NTER. The Social Justice Commissioner noted the policy ignored current whole-of-government initiatives that were in train in communities already identified as 'in crisis'. These were working to establish baseline data that would have made evaluation of pre-existing 'planning tools and action plans ... developed for health, housing criminal justice and so on' possible (LBDSSPS 2007, 8). The lack of coordination meant that these initiatives were ignored or – due to the uncertainty of prior funding – possibly even abolished by the NTER. Annual reviews were established but with the extent of unreported child abuse uncertain, being based on anecdotal

³¹ The Review Board convened by the subsequent Rudd Labor Government noted these types of 'negative unintended consequences' of welfare reform (Yu, Gray and Ella Duncan 2008, 85).

evidence, any evidence of change is similarly vague. Jon Altman (2007, 318) maintains that the Government had not 'established any mechanism to assess its performance'. Hunter (2007, 44) argues that without benchmarks, evaluation of the policy will be impossible.

Discussion

The analysis of the NTER through the policy cycle identifies many departures from the basic normative framework. According to Bridgman and Davis's (2004) model, the NTER is likely to fail, simply because the steps set out in the policy cycle were not followed. Policy professionals were scrambling to provide advice on a suite of measures that (for them) emerged out of a press conference, not a coherent policy process. There was almost a total lack of analysis (to inform the decision); supporting evidence (given the rhetoric of 'evidence based policy'); consultation; or, criteria or baseline data for evaluation. The little coordination in evidence was undertaken *after* implementation began. Clare Martin, the Chief Minister in the Northern Territory was not even given the courtesy of being informed prior to the announcement. This is a damning indictment for such far-reaching and potentially damaging policy measures. To have the RDA suspended using affirmative action legislation was profoundly contemptuous. The actions designated 'special measures' are punitive in nature and not dependant on wrongdoing. There was also no correlation between the incidence of child abuse and the criteria for 'prescribing' communities. As a whole, the range of policy instruments introduced under the NTER failed to meet the legal criteria for 'special measures' (Vivian and Schokman 2009). Many of the measures were likely to worsen the very problems they were intended to solve. However, all these considerations were swept aside by political ambition. The NTER failed to meet the most basic tenets of the policy cycle. Therefore, from within a rational framework, can only be described as an example of how NOT to conduct the policy process. But does this mean that a better outcome would have been attained by using the cycle?

The policy cycle proved an inadequate analytical tool in the face of such a complex and incoherent policy. The first impulse was to 'juggle' the facts to fit the appropriate stages in the cycle but that

lent legitimacy and coherence to a process that lacked both. Stone (2002) warns against this impulse. Indeed, far from being the apparatus of sound policy formation and analysis, the cycle functions to provide a veneer of rationality to an irrational process. The NTER was a 'solution looking for a problem', as the review of previous policy directions indicate. The justification was the protection of vulnerable children but some of the instruments are likely to increase, not decrease, that vulnerability. The application of Bridgman and Davis's policy cycle reveals serious deficiencies in the NTER measures. While this framework is considered rational, based on a logical process, the authors do acknowledge the subjective nature of public policy. As they state, '[p]ublic problems ... are mental constructs, abstractions from reality shaped by our values, perceptions and interests ... imprecise and subjective [in] nature' (Bridgman and Davis 2004, 45). The policy cycle is representative of the scientific reductionist frame. The very act of disaggregation – breaking the 'problem' into composite parts – assumes the *cause* is intrinsic to each part, rather than an outcome of its proximity to other factors. It assumes the cause is internal rather than situational.

Conclusion

Analysis of the policy process using the policy cycle illustrated a failure to adhere to the most basic policy making principles. There was no coherent policy process, no policy analysis and by ignoring the *Little Children* report, the justification was undermined. That meant the instruments were chosen without any of the considerations advocated by normative policy principles. The lack of consultation breaches the most basic principles of policy making in democratic states and the absence of baseline data and evaluation criteria means its effectiveness cannot be measured. The advice produced to inform the parliamentary decision was ignored because the Government had already made up its mind, and the opposition had pledged bi-partisan support. This advice made it clear that many of the measures were likely to be counterproductive but this made no difference to its hasty passage through Parliament. Application of the policy cycle as an analytical framework exposes the flaws in the decision making process of the NTER. A range of avoidable, adverse

outcomes were disregarded in the pursuit of political objectives. According to Bridgman and Davis, these could have been avoided if sufficient time had been allowed for the process. However, the following narrative analysis of the key decision makers, John Howard and Mal Brough, provides an alternative explanation. It discloses answers to questions the policy cycle never asks.

NTER: An Attributional Policy Analysis

The previous chapter demonstrated that in the face of a 'national emergency' the Government largely abandoned the dictates of the policy cycle. But the effectiveness of such 'rational' approaches has been questioned. Chapter 3 introduced Stone's Policy Paradox (2002) as a critique of the rationality project, and employed attribution theory (AT) to explain the human dimensions of many of the phenomena Stone describes. However, even this tended to normalise the behaviour described. The following chapter identified an alternative explanatory, or attributional, style. One that has been used in the application of AT but was dismissed by social psychology during the 1970s in response to feminist critique. By re-introducing the acceptance of difference, the attributional biases, which Stone identifies in the conduct, process and structure of public policy, are revealed as the product of patriarchy. This analysis will examine the discourse and narratives of the political decision makers to reveal how subconscious impulses shaped their attitudes and ultimately, their decisions.

This analysis encompasses broader political ideology, attitudes towards Aboriginal people, leaders and policy in general, and some telling comments on the NTER in particular. The intent is to reveal attributional bias in the explanation of the 'problem' and how that predetermined the solution. Next, the principles of asset based community development (ABCD) are used to examine the policy measures ostensibly designed to address social breakdown in Aboriginal communities. Finally, the discussion goes beyond the present case study. The confluence of theories in this dissertation is used to critically evaluate normative policy processes. The primary tenet of ABCD – the focus on assets – in conjunction with a deeper understanding of attributional bias – as it operates in a deficit based policy arena – illustrates the structural embodiment of masculine bias in the 'rationality project'. It also illustrates the flawed nature of this structure as a method for positive change. More

importantly, it offers a glimmer of hope for the future, one that goes well beyond the realm of Indigenous policy and the Australian context.

Analysis of the attitudes of the leader of the Coalition Government, Prime Minister John Howard, contextualises the decision. As does a brief background on the Minister for Indigenous Affairs, Mal Brough. Then the rhetoric employed in the public arena by both Howard and Mal Brough during the media release and in the weeks after the announcement is analysed. This will provide evidence of causal attributions, the way the 'problem' was defined, and the policy narratives employed. This is then compared to the constructions of cause in the legislation introduced by the Howard Government and the arguments employed in its justification. It will focus upon the shaping of the problem, how cause and responsibility were attributed and how the measures fitted with the long-term goals in Indigenous policy under the Coalition Government.

Prime Minister John Howard

To understand the values and ideology informing the decision making of the Liberal Coalition Government, one needs to understand its leader Prime Minister John Howard. Even his harshest critics would concede Howard always maintained strong leadership throughout his Government's twelve years in power. This influence is obvious in the Indigenous Affairs portfolio where the policy direction and rhetoric remained consistent despite numerous changes in Minister. As Howard (2010, 277) later commented, the views he outlined at an Aboriginal reconciliation meeting in 1997 'continued to guide my Government's policy for its next decade in office'. Prime Minister Howard's attitudes and attributions can be catalogued from the general to the specific. This analysis starts with his world view as the leader of a conservative political party, moves onto his view of Indigenous policy in particular and his interaction with Indigenous groups and people, and finally, his explanation of the NTER.

World View

Stone (2002) argues that Nozick's process oriented theory aligns with conservative attitudes towards redistributive justice. This attitude enshrines private property rights, with 'just' distribution relying on historical records to prove fair acquisition. As Stone points out, this conception does not redress past injustices created through discriminatory laws. Not surprisingly, John Howard's (2010) attitudes – as articulated in his autobiography *Lazarus Rising* – reflect this ideology. This can be demonstrated through his conceptualisation of three areas, Australian history, the decade in which he grew up and the *Bringing Them Home* report. All three encapsulate depictions of the past which shape policies of the present. They also reveal an obvious correlation between the in-group and positive internal attributions, and the out-group and negative internal attributions, whether in intention or outcomes.

The first area, history, was raised during an address at the Reconciliation meeting in Melbourne in 1997, where Howard (2010, 277):

cautioned against depicting Australian history since 1788 as little more than a disgraceful record of imperialism, exploitation and racism [arguing that] ... Such a portrayal is a gross distortion and deliberately neglects the overall story of great Australian achievement ...

He talks of pride in the country's achievements, while 'inevitably acknowledging the blemishes in its past history' (Howard 2010, 277). According to Rawls's theory of justice, this acknowledgement of past wrongs should bring about redistribution to address the inequity it has created. However, process theories do not favour redistribution: if an outcome is deemed unfair, the process that created it should be changed. This is demonstrated by Howard's description of the 'problem'. He admits Aboriginal people:

were the most disadvantaged group in our society, had suffered discrimination and prejudice in the past and were entitled to far greater opportunities ... than they had previously received (Howard 2010, 271).

This fits with Nozick's 'process' view of equity: the problem is considered firmly in the past and the solution is to change the process – not redistribute the resources. True to this view, Howard disdains affirmative action as 'special' treatment. He argues against:

the perception of special privileges for Indigenous Australians, as this frequently aggravated less well-off people from the rest of the Australian community, who felt that a special deal was being done for people whose social position was little different from their own (Howard 2010, 270).

In effect, this is an end result argument – that there *are* poor white people – to support a process based theory of justice. The policy that comes out of this ideology is the 'mainstreaming' of Indigenous services. This policy represents the rollback of redistributive and affirmative action strategies designed to improve Indigenous access to basic services such as health and education. This form of positive discrimination was intended to address the outcomes of historical discrimination (Stone 2002), which is acknowledged by Howard but in no way alters his positive perception of the past.

The second area is Howard's recollection of the 1950s. As the decade in which he grew up, this period opened up opportunities for the young John Howard. He 'won' a place in a private boy's school and went on to read law at university. Understandably, Howard (2010, 14-15) has fond memories of this time, describing the 1950s as:

probably the most stable, secure and prosperous decade ... when a moral consensus flowing from the Judeo-Christian ethic held a largely unchallenged place in Australian society.

While he admits it was also a time when:

[w]omen were denied many opportunities; the white Australia policy was still in place; and the plight of Indigenous Australians had yet to stir the national consciousness ... [but he argues] it is beyond churlish to deny the achievement of an era ... [which] laid the economic and social foundations of modern Australia (Howard 2010, 14).

This recollection resonates with the assumption of 'a halcyon period in which individual merit was the sole distributive criterion for important opportunities' held by opponents to group based distribution (Stone 2002, 48). Howard (2010) acknowledges the disadvantages of some groups

within 1950s society but makes no link between the privilege of the in-group (middle-class white males) and the disadvantage or lack of opportunities of out-groups (women, ethnic groups or Aborigines). He ignores how the White Australia policy enshrined and reinforced racism for most of the twentieth-century, and the influence of this on the 'plight' of Indigenous people. It also ignores the way systemic discrimination during the past has laid the foundations for current inequality. It can be inferred that the benefits which flowed to Howard and his peers are attributed to internal characteristics, not external situational factors. It is worth noting that during the 1950s the 'dying race' narrative continued to influence the Australian psyche and the policy being systemically implemented nationwide was Assimilation. Of all previous policies, Assimilation bears the most resemblance to 'mainstreaming' (Johns 2008).

Finally, the *Bringing Them Home* report was commissioned by the previous Labor Government but the 1996 election result meant the inquiry continued into the Liberal Coalition Government's rule (Howard 2010). John Howard's attitude to the *Bringing Them Home* report, which was released in 1998, provides a point of contrast to his response to the *Little Children are Sacred* report. Aboriginal children were also the subject of the *Bringing Them Home* report. It was the first official opportunity for Aboriginal people to share their personal experience of the Assimilation policy and have that experience acknowledged. They described the trauma of being removed from their families as children to be institutionalised and all too often, neglected and abused psychologically, physically and/or sexually (Wilson in HREOC 2003). Unlike the abuse examined in the *Little Children are Sacred* report, this occurred under official state authority and the perpetrators were largely non-Indigenous: employees of government or church, or members of families fostering Aboriginal children. Howard (2010, 278) refused a request for extra funds by the Board of Inquiry, questioning its 'long-term value' and arguing there was 'not a lot to be gained from an expensive inquiry on a long-past policy'. When the report was released, Howard (2010, 279) expressed 'strong doubts about the intellectual rigour of a lot of the report'. Critical of the failure to cross-examine the witnesses and the lack of

evidence from people who administered the policy, Howard argued the report was biased. He made no comment on the atrocities revealed, cast doubt on the process and the findings and, in the face of contradictory evidence, maintained the Assimilation policy was 'well intentioned'. In response to the recommendation that the Government should apologise for the 'stolen generations' Howard (2010, 278) argued the 'original perpetrators' were the only ones who could offer an effective apology. Although Howard (2010, 279) was 'sympathetic' to some of the recommendations, few were ever implemented and he staunchly refused to offer an apology on behalf of the nation and the Government.

This is in stark contrast to his attitude to the *Little Children are Sacred* report, to which he showed no compunction to discuss the atrocities revealed (Howard 2007, 3):

nobody who has any acquaintance with that report could be other than appalled by its contents, appalled by what it reveals, appalled by the cumulative neglect ... the most terrible abuse ...

In this case, the findings were fully embraced despite its reliance on anecdotal evidence, due to the unknown extent of unreported abuse. Child abuse occurs throughout Australian society but Aboriginal communities were identified as the 'grossest examples of this problem' (Howard 2007, 6).

One obvious difference between the two reports is the perpetrators. In the first, they were members of the 'in-group', acting with authority and control. In the second, they were members of the 'out-group' and obviously out of control. In all three areas, John Howard displays a subconscious group-serving bias. Even when articulating evidence that discredits his attitudes, it does not alter the spontaneous tendency to equate positives with in-group members (or in-group members with positive actions and intentions). There is a 'filtering out' of evidence that does not fit with this perspective. He was quick to raise the atrocities perpetrated by out-group members but ignored those perpetrated by in-group members, raising questions about the legitimacy of the process instead. The negatives faced by out-group members – the denial of opportunity or the 'plight' of poverty – are in no way linked to the privileges open to the in-group. The direct, inverse relationship

between the privilege of one group and the disadvantage of the out-group (defined by sex or ethnicity) is simply ignored. Even when the influence of 1950s society on our present society is raised, the negative side of that influence is not acknowledged.

Attitude towards Indigenous Policy

The cynicism over the motivation for the NTER was due largely to the Government's previous inaction in Indigenous Affairs, given the extent and radical nature of the measures. This was a decade of winding back of affirmative action, when funding for Indigenous initiatives and institutions was stifled. The terms 'social justice' and 'self-determination' gave way to 'accountability' and 'promoting economic independence' (Gardiner-Garden 2011b, 7). The rhetoric of 'separatist' policy and 'special treatment' were used as code for Self Determination and affirmative action (Howard 2010). The broader push for welfare reform, with demands for reciprocity under Mutual Obligation, also spilled over into Indigenous policy. This was despite the finding in the McClure Report (2000, 42) on welfare reform that Indigenous people 'already meet any test under a mutual obligations framework' through their work in community development employment projects (CDEP). John Howard's attitude towards Indigenous policy was also demonstrated through his choice for the first Minister of Indigenous Affairs. John Herron met two criteria: he came from Brisbane and he had volunteered as a surgeon in Rwanda. Howard (2010, 270) did not want someone from Sydney or Melbourne because of his 'theory' that 'the guilt syndrome was far too strong in those cities'. He preferred the more 'pragmatic' view of people from Queensland or Western Australia, who were more likely 'to come into contact with Aboriginal people on a daily basis' (Howard 2010, 270). These people 'were not insensitive but they understood that one should, where possible, avoid the perception of special privileges for Indigenous Australians...' (Howard 2010, 270). Just how frequently John Herron came into contact with Aboriginal people is unclear but his appointment was not based on *experience* with Aboriginal people. It was justified by his experience as a surgeon dealing with victims of the Rwandan massacre (Howard 2010). Someone willing 'to help suffering people ... was the right person for Indigenous Affairs' (Howard 2010, 271). As Howard (2010, 24)

articulates early in his autobiography, 'governments can do good things, if only they were comprised of *the right people*' (my emphasis).

Indigenous Leadership

When discussing Indigenous policy directly, Howard clearly considers the people he calls the 'Aboriginal leadership' as an out-group. He externalises responsibility for the perceived policy stalemate onto this group. The decade of Coalition Indigenous policy in limbo was blamed on the stubbornness of this out-group. Howard (2010, 278) argued the:

Aboriginal leadership was unwilling to accept our legitimacy, and refused to deal with us except on the basis of the Government accepting their agenda. That did massive damage to the Indigenous cause.

However, it was widely understood that it was the Howard Government's policies and failure to censure the racist rhetoric of the One Nation Party that had 'placed a strain on relations with the Indigenous community' (Gardiner-Garden 2011b, 7). Howard uses the 'metaphor of a slow-turning ocean liner' (2010, 283) to describe the attitude of this 'Aboriginal leadership'. While he contends he had always considered politics 'a battle of ideas' (Howard 2010, 24), he did not engage with the 'Aboriginal leadership' on this level. In his opinion, 'virtually all of the Aboriginal leadership shared the labour view of Indigenous Affairs' (Howard 2010, 273) and dismissed its legitimacy. In his words:

The old guard of Aboriginal leadership, the ALP or others ... continued to see good Indigenous policy through the prism of separate development, with a heavy overlay of guilt and shame (Howard 2010, 280).

The metaphor of 'separatist' development (code for the Self Determination policy) is identified as the cause of the problem. This seats blame with liberal ideals of Indigenous rights, neatly ignoring the long-term, structural disadvantage which had preceded this policy. This short-term construct of disadvantage was in part facilitated by the dearth of statistical evidence prior to the 1967 referendum, which saw Aboriginal Australians included in the census for the first time. Shaping the problem as 'separatist' development automatically leads to demands for integration into the 'real economy' and *mainstreaming*, which is the integration of Aboriginal people into existing service

provision. This is the 'normative leap' from description to prescription. Mainstreaming also infers the answer is for the out-group to be more like the in-group; their difference is the problem.

The fact is the Coalition Government did not have numbers in the Senate to make radical changes to Indigenous policy until after the 2004 election (Howard 2010, 274). A hostile Senate made opposition and lobbying against the Government's agenda by Indigenous 'leaders' worthwhile. This opposition can be considered strategic and politically astute. Howard notes the change winning the majority in the Senate made but does not directly link that to the change in the response of Indigenous leaders. Using his metaphor, it was the first alteration in the course of the 'slow turning ocean liner'. It was at this point that Noel Pearson first brought his plan for a social experiment in Cape York communities to the federal government. This plan mobilised language sure to align with the Government's neo-liberal rhetoric (Altman 2007). Pearson identified the problem as 'passive welfare' or 'sit-down money', called for Aboriginal people to take responsibility for their situation and the welfare of their children (Carney 2007a). Howard (2010, 273) considers this 'some of the best advice my Government received in the whole area', which was a dramatic alteration in his previous attitude towards Pearson. Up until that point, like most members of the 'Aboriginal leadership', Pearson was clearly considered a member of the out-group, which did not 'take kindly' to the selection of John Herron as the first Indigenous Affairs Minister and remained highly critical of the Coalition Government (Howard 2010, 273).

Individual Aboriginal Leaders

In describing his interaction with particular Indigenous leaders, Howard made some positive comments on people who accepted his policy position but was critical of those who challenged him. In commenting on the rationale for the appointment of the first Howard Government Indigenous Affairs Minister, Mick Dodson criticised Howard's assertion that 'Herron's surgical work in Africa' was 'some kind of qualification for helping Indigenous people' in Australia (Howard 2010, 274). The ministers enacting Howard's agenda for 'practical reconciliation' clearly required no experience,

knowledge or relationship with Aboriginal people. Howard attributed Mick Dodson's motivation to 'resentment' and described the comment as 'a piece of arrogance' (Howard 2010, 274). Thus, he dismissed the criticism as an emotional response and attributed it to an internal (negative) characteristic. Howard (2010, 274) defended the appointment by saying 'the only point I was trying to make was that Herron's surgical work in Africa was evidence of his decency and compassion' but did not respond directly to the criticism. The policy direction under Herron, or the subsequent ministers, lacked any obvious display of 'decency' or 'compassion' towards Aboriginal people.

The decade-long Reconciliation process, designed to heal the rift between Indigenous and non-Indigenous Australians, was due to culminate in 2000. Howard's attitude towards this process and his rejection of "'rhetorical' gestures' led to most of the Council's recommendations being ignored (Gardiner-Garden 2011b, 7). This attitude obviously influenced Pat Dodson's decision to decline reappointment as the chairman of the Council for Aboriginal Reconciliation. Howard (2010) describes spending one and a half hours with Dodson at the Lodge trying to dissuade him from the resignation, but to no avail. Howard (2010, 280) describes the decision as 'calculated' because Dodson knew that 'what he had done ... [would be] construed in a negative way' for the Government. Thus, responsibility rested with Dodson, motivated by malice towards the Government, rather than the Government's attitude towards Reconciliation, which made continuing as chairman untenable. Dodson was obviously pained by his decision. In parting, he offered to help in the future, as far as he could. Howard (2010, 280) attributes this offer to guilt, rather than genuine disappointment at the derailing of a process that had begun with such promise.

The attribution of intractability to Indigenous leaders spared few. Prior to winning the Senate in 2004, Howard (2010, 275) notes Noel Pearson was 'in no mood to concede anything. He did not have to'. This attitude did not change until Pearson's rhetoric began to align with Howard's own. Mick Dodson challenged the relevance of Herron's volunteer experience in Rwanda to the Indigenous Affairs portfolio. While it demonstrated a willingness to help 'humanity in the most

wretched of circumstances’, it was not necessarily ‘some kind of qualification for helping Indigenous people’ (Howard 2010, 271 and 274). Rather than engaging with the implicit racial assumption – that it indicated a willingness to help *black* people – Howard (2010, 274) dismissed Dodson’s comment as ‘a piece of arrogance’. The attribution of the criticism to an internal characteristic – arrogance – rather than the situation – requiring reflection on his own assumptions – is a clear instance of the FAE, with an ego defensive motivation.

Minister Mal Brough

The Howard Government’s final Indigenous Affairs Minister was another Queenslander but this incumbent did not boast any obvious experience in humanitarian endeavour. Mal Brough had a reputation as a ‘hard man’ with a ‘can-do’ attitude (Nicholson 2010, 7-8). He served in the army for eight years, followed by a ‘period as a domestic products wholesaler’ before becoming a minister with the Coalition Government (Crabb 2007, 28). This experience obviously shaped his attitudes and practices. His tendency to ‘always take himself seriously’ led to him being dubbed ‘Captain Decore’³² or ‘the shampoo salesman’ by some of his party colleagues (Crabb 2007, 28). ‘[H]is strengths as a politician are his earnestness, his energy, his self-belief and his preparedness to be disliked’ (Crabb 2007, 28). This willingness to be disliked extended to the policy professionals that supported him:

With public servants, he is demanding to the point of pushiness in his impatience to prosecute his agenda, and his capacity for explosive fits of temper is legend. When he took on his first ministerial job – employment services – in 2001, he gathered his senior public servants and told them he would not tolerate the ‘public service mentality’. ‘This is a corporation, and I am your chief executive’ he told them (Crabb 2007, 28).

This disregard for policy professionals, procedures and advice was also obvious in Indigenous Affairs.

It was unlikely to endear him to the professionals within the portfolio. His attitude towards

Aboriginal people was worse. Alistair Nicholson QC (2010, 7-8) relates of Minister Brough:

I have an abiding memory of him addressing a homelessness conference in Sydney in 2006, where he succeeded in demonstrating his contempt for the Aboriginal people to such an extent that a large percentage of his audience, including most Aboriginal people present, walked out.

³² A brand of shampoo

His period as Minister for Indigenous Affairs did not appear to soften this attitude. In an interview in 2008 (about his election as President of the Queensland Liberals) Brough and his family were said to have openly mocked Aboriginal people and culture. Brough and his teenage son clowned about playing the didgeridoo and clapsticks and were 'bantering in what might politely be termed "mimicry of Indigenous-spoken English"' (Graham and McQuire 2008). It was clear that this time, the Prime Minister had not chosen a Minister based on his 'compassion and decency' towards those more unfortunate than himself.

Prior to the NTER, Brough attempted to impose several policy instruments in the Northern Territory that were later included in the Intervention (Nicholson 2010, 8). In Alice Springs town camps, he offered \$60 million for housing if the Aboriginal Council would transfer their leases to Northern Territory Housing. The Aboriginal Council refused in April 2006 and the Northern Territory Government would not force the issue. In remote areas, 99-year leases over Aboriginal land were proposed in return for government investment in housing. Supporting legislation was passed and the abolition of the permit system was mooted. But few communities were willing to take up the option.

The idea of welfare quarantining was also raised during this period. Brough (2009c, np) rationalised the measure in narrow economic terms, as he later explained:

... the greatest temptations are created by available cash. It is cash in the form of welfare payments that provide *choices* for parents in these situations to *choose* to gamble before buying food, or purchase drugs rather than clothe their children. (my emphasis)

He discussed two programs that provided support for the measure: family income management (FIM) in Cape York and a successful initiative to improve school attendance in Halls Creek. The FIM program has been described previously and was substantially different from the income maintenance regime (IMR) imposed in the Northern Territory. In Halls Creek, the school canteen provided breakfast, morning tea and lunch to students – at the parent's expense – to improve nutrition and attendance (Brough 2009c). Both were voluntary, managed on a case-by-case basis with the families agreeing to the amount of their payments that would be directed to a third party,

through Centrelink's Centrepay facility. However, these subtleties seemed to be lost on the Minister. All he saw was that '[a]s the discretionary dollars within these families and communities have reduced so has the violence, drug and alcohol abuse' (Brough 2009c, np). This was the 'evidence that proves' the direct link between discretionary income and dysfunction. Brough proposed the families whose children fail to attend school or are 'known' to child services (short of removal) should be identified and directly targeted. He admitted that '[t]his is not a problem unique to Aboriginal communities' but his description of the issue in the wider community was subtly different. In a speech to the Australian Council of Social Service (ACOSS) several months later, he conceded that in many cases:

gambling addictions have stripped the family of the cash required to support their children [and talked of] ... cases of physical addiction [to drugs, where] their life revolves around the addiction not the child (Brough 2009a, np).

No such concessions were granted to Aboriginal people in the previous speech, where it was purely a matter of choice on their part. As a causal story that attributes blame, the out-group are ascribed agency and control – it is a matter of choice – but the in-group is sometimes subject to forces beyond their control. The first can be construed as *intentional cause* – the strongest accusation of responsibility (Stone 2002) – while the second is (to some extent) *inadvertent cause*, with addiction as the mediating factor reducing their culpability.

The inference that Aboriginal people could not 'handle' money is nothing new. Attributing Aboriginal people with traits that excused withholding money is a time-honoured tradition. Working conditions in the Northern Territory during the 1920-30s (explored in Chapter 6) were worse than slavery but the provision of rations instead of wages was justified by arguments that Aborigines were 'perfectly happy and satisfied. They do not know the value of money' and that wages would 'be the end of the happy blackfellow' (McGrath 1995, 40). Such attitudes excluded Aboriginal pastoral workers from wages until the 1960s and created mass unemployment when equal wages were introduced. These very attitudes had created the welfare dependency Brough was now grappling with. His constructions of cause echo these colonial assumptions.

Despite his application and zeal, his agenda was not gaining traction in the Northern Territory: 'Brough was looking for any excuse to force his will on the bush' (Toohey 2008, 5). He was 'extremely frustrated by the NT Government ... and also by the attitude of Aboriginal elders and leaders ... to his proposals' (Nicholson 2010, 8). Nicholson (2010, 8) described the situation leading up to the NTER as follows:

We thus had a dangerous combination, namely a Prime Minister who was desperate to be re-elected and needed to demonstrate his strength and an ambitious Minister who thought that he knew what Aboriginal people needed, like so many before him.

The NTER would become widely known as the Northern Territory Intervention or the NTI. This introduced the term 'intervention' to describe a policy instrument designed to 'help' welfare recipients who could not seem to help themselves. Brough (2009a, np) used it in his ACOSS speech, explaining that welfare quarantining should 'be used in conjunction with other interventions, not instead of other interventions'. The meaning of this term was as ambiguous as the policy aims. At the launch of the policy, Howard had used the term in a very different way. He conceded the NTER was 'interventionist. It does push aside the role of the Territory to some degree. I accept that. But what matters more, the constitutional niceties, or the care and protection of young children?' (Brissenden 2007, np). Howard's intervention was a jurisdictional one; Brough's was a human rights intervention justified by welfare.

The Decision

Both Howard and Brough agreed that the NTER was Mal Brough's brainchild. According to Crabb, at the time of the announcement Prime Minister Howard ascribed 'much of the inspiration and nearly all of the work towards' the policy to the Minister (Crabb 2007, np). The policy certainly reflected the practical approach for which he was known. John's (2008) relates an anecdote about how the NTER came about. Apparently, the *Little Children are Sacred* report:

had caught Prime Minister Howard's attention. The result was that the Prime Minister mentioned to his Minister, Mal Brough, shortly before a Monday question time in the House of Representatives that he was thinking of 'cutting off the grog' in Aboriginal communities in the Northern Territory. The matter was raised by Howard in Cabinet the same afternoon, but as a standalone measure Brough was opposed.

As a result, Brough was asked to bring a package to Cabinet later that week, and he sat down after Cabinet and wrote at the top of a sheet of paper 'How to fix a town' and proceeded to build a 'to do' list. He took his thoughts to his senior officers and by Thursday's Cabinet meeting the intervention package was born (Johns 2008, 69-70).

It was clearly seen as an opportunity to push the agenda he had so far failed to implement. That same Thursday an 'emergency party meeting' about the NTER was held. It was reported that 'some Coalition MPs and senators fought to stifle a titter' as Brough 'unconsciously resumed a military demeanour' which struck 'one attendee as faintly reminiscent of Dad's Army' (Crabb 2007, 28).

Brough (2009b, np) later commented that '[w]hen I conceived the NT Intervention I had a clear set of goals that I aimed to achieve'. However, there is a disjunction between the Coalition's economic rationalist agenda, which might fit with 'fixing a town' and widespread child abuse, born of anomie.

From John's account, a comment from the Prime Minister was sufficient to initiate sweeping change in Aboriginal communities across the Northern Territory. Howard also set the hasty timeframe. Both point to the strong, 'directive leadership' that characterised Howard's prime ministership, and which is the single necessary prerequisite for *groupthink* (Phoenix 2007). Other elements in the range of factors that contribute to the phenomenon were also present. Secrecy is central to Cabinet processes, and the lack of leaks before the announcement attests to its efficacy in this case. Silence serves to exclude opposing voices, alternative views and contradictory information. After the Coalition lost the election, several members of Cabinet admitted their discomfort with the decision. Howard (2010) notes that they had not raised those concerns at the time: indicating that he assumed their silence signified assent. Janis (1972) describes this type of 'self-censorship ... and the false assumption that silence means consent' as symptoms of *groupthink* (in Phoenix 2007, 112). The failure to consider alternative options, re-evaluate the preferred options, and to formulate contingency plans, all support this evaluation. Certainly, the short timeframe meant there was little time for input from other members of cabinet and little discussion. While Brough's demeanour at the party meeting might have been amusing, the content of his address certainly was not. The cavalier manner in which the in-group determined the fate of the out-group suggests *groupthink*.

Howard and Brough certainly displayed ‘an unquestioned belief in the[ir] group’s inherent morality’ (Janis 1972, in Phoenix 2007, 112) that encouraged and excused hostility towards the out-group.

A ‘National Emergency’

In the media launch that same Thursday, Howard described the ‘problem’ ‘as a national emergency in relation to the abuse of children in Indigenous communities in the Northern Territory’ (Howard 2007, 1). The declaration of a national emergency served to justify the hasty implementation and passage of the enabling bills through both houses. It also stifled any debate about the cause, meaning the solution effectively shaped the problem in most peoples’ minds. John Howard claimed that he was ‘distressed’ by the *Little Children* report. Given his personal abhorrence of alcoholism (Howard 2010), his focus on ‘cutting off the grog’ was understandable. He denied the decision was ‘driven by politics’; in his opinion it was ‘the right thing to do’ (Peatling 2007, 1). But surely an ‘emergency’ is defined as a recent event, based on new information. The Western Australian Premier, Alan Carpenter, agreed it was ‘certainly a national issue’ but asked of Howard, ‘if he thinks it’s an emergency ... why hasn’t he done anything about it for the last 12 years?’ (Brissenden 2007, np). Many commentators asked the same question, given that a mountain of evidence and sundry reports had established that the issue had existed for decades (Anderson and Wild 2007; Atkinson 2007; Gardiner-Garden 2011b).

Getting the issue on the Howard Government’s agenda before the announcement had seemed impossible. Dr Lara Wieland told the *Sydney Morning Herald* that when she:

alerted Mr Howard to widespread sexual abuse of children in Aboriginal communities in 2003 ... the only result she got was to lose her job with Queensland Health (Peatling 2007, 1).

The concerns of Professor Judy Atkinson, who has worked in the area of Aboriginal trauma and violence for two decades, were similarly rejected. During a discussion on the issue in 2006, one of Mal Brough’s advisers even asked if ‘all this talk about child sex abuse is just false memory syndrome’ (Chandler 2007, 5). She referred him to a case where the child died at the hands of her

abuser, pointing out that dead children do not have memories. The reluctance to acknowledge the issue, much less deal with it, clearly extended beyond the political leaders. Atkinson (2007, 160) argues that years of inaction by the Howard Government 'has profoundly deepened' the crisis. The Howard Government knew child abuse was a problem in many remote Aboriginal communities. The justification for the withdrawal of human rights, based on race, hinged on the classification of the situation as an 'emergency'. However, the appalling situation facing Aboriginal women and children has endured for decades. This was not 'new' information of an 'emergency'; their response towards the issue had changed.

The Justification – The Little Children are Sacred Report

Brough (2007b, np) asserted in the media release that '[a]ll action at the national level is designed to ensure the protection of Aboriginal children from harm' but there was a fundamental disjunction between this aim and the problem he set himself: 'How to fix a town?' (Johns 2008, 69-70). The *Little Children are Sacred* report was cited as the major justification for the intervention. Not surprisingly given Brough's logistical focus, the 'emergency intervention' initiated by the Howard Government bore no resemblance to the recommendations of the report. Even the problem definitions of the two were vastly different. The report defined child abuse as a symptom of a far more fundamental problem – social anomie – and contextualised it within a suite of symptoms, including family violence, youth suicide and substance abuse. The NTER used the issue of child abuse as a synecdoche (Stone 2002), a small part of the problem to represent the whole. The Government's definition excluded issues that confused the difference between the victims and the perpetrators. The result was a 'blame the victim' story, which made punitive measures appear reasonable and rendered political opposition unlikely: who would oppose saving the children? Framing the problem around the protection of children made any possible criticism appear petty – either you supported the Government or you supported child abuse. In an election year, this rendered any form of opposition political suicide. Just twenty minutes after the announcement, the Leader of the Opposition, Kevin Rudd pledged 'complete bipartisan support' for the initiative (Brissenden 2007).

The Discourse

Howard's personal construction of the problem was demonstrated during an address to the Sydney Institute a few days after the press release. In this speech Howard described the situation of Indigenous children in the Northern Territory as 'a Hobbesian nightmare of violence ...' (Johns 2007, 327). The educated audience would have undoubtedly understood the reference to Hobbes's argument that *a state of nature is a state of war*, 'nasty, brutish and short' (Hobbes 1968, 186). The underlying cause is the *primitiveness* of Aboriginal people and their culture, an internal attribution that ignores the situation, the history and the broader environment. By appropriating Hobbes's fifteenth-century *state of nature* Howard neatly ignores the plethora of knowledge about indigenous peoples compiled in the intervening three centuries (and the entire discipline of anthropology), in favour of a philosophical treatise in defence of monarchy, which merely hypothesises upon said state. A blame the victim story and an example of the UAE. The problem is implicitly attributed to living in a 'state of nature' rather than the nature of the Australian state. Howard's discourse evokes all the tropes of the primitive native, neatly juxtaposed to western civilisation, whose resulting 'duty of care is greater because of who and where they are' (Howard, in Johns 2007, 327). This echoes classic colonial rhetoric about the civilised saving the benighted races from their ignorance. In defence, Howard goes on to assert '[t]o recognise this is not racist. It is a simple empirical fact ...' (Johns 2007, 237). While the reality of the situation is not disputed, the rhetoric assumes the cause and puts it beyond question. Howard claimed the Intervention had 'nothing to do with race' (Peatling 2007, 1), but the target group and the need to suspend the RDA belies this assertion. Jon Stanhope, the ACT Chief Minister, was one of many to make this criticism. As he said, '[b]y any definition of racism, this is racism' (Peatling 2007, 1).

Later that year, speaking at the Alfred Deakin Lecture in Melbourne, Minister Brough also mobilised colonial discourse. In this instance harking back to descriptions of Aboriginal people as 'the remnants of a dying race':

And unless the rest of Australia actually understands that, the depth of despair that people are in, and the loss of culture that is a direct result of that despair, then we are going to lose not only another generation, we are in fact going to lose the last *remnants* in many places of what was a very rich culture (my emphasis) (Brough 2007a, np).

Not only does it evoke past racist ideology,³³ it also damns the current generation as 'lost'. He had an array of negative things to say about Aboriginal people, perhaps encapsulated in the comment 'there is nothing palatable whatsoever about what you see and hear in indigenous communities' (Brough 2007a, np). Like Howard, who mobilised colonial notions of the civilising influence of western culture, Brough (2007a, np) mobilised the related 'progress' argument:

We are at the crossroads of whether we are going to move forward as a nation and we are going to take our entire nation with us, our indigenous population, as part of that, or whether we're going to ignore it.

Clearly, Minister Brough considers the Indigenous population to be stuck in the past, needing to be moved forward by the rest of the nation. The intended change in social norms was considered a 'modernisation project' (Hunter 2007, 36). This neatly contrasts the positive (western progress), against the negative (Indigenous primitiveness). Part of this modernising project was the rhetoric of private home ownership, a persistent ideology during the twentieth-century.³⁴ In this speech, he also deflected the two major criticisms repeatedly levelled against the NTER: the years of Coalition Government inaction and the suspension of the RDA. He actually conflated to two accusations, articulating them thus:

One, why did you breach the Racial Discrimination Act, and say that that's wrong, and then 15 minutes later applaud when challenged about why I didn't breach it 10 years ago (Brough 2007a, np).

Making a nonsense of both arguments allowed him to dismiss his critics as 'lunatics' (Brough 2007, np). He deflected the criticisms and instead of addressing the issues of racism and timing, distorted the argument to the appropriateness of any action at all. This opened the way to tell anecdotal

³³ For example, see the quotation on page 146.

³⁴ As McGregor commented, 'in the long Australian tradition, private home ownership was proffered as a pathway to responsible citizenship' (McGregor 1997), on page 147.

horror stories about abused children, and the paedophiles in positions of power within Aboriginal communities. These specific cases were then generalised:

These are people of authority. These are the people that white fellas like me and bureaucrats turn to, who go to consult with about answers to their communities, who we give money and more empowerment to and we walk away saying, haven't we done a good thing (Brough 2007a, np).

Externally derived power, through the control of resources, has been a destructive force in many communities. Because the source is external, the capacity to impose the associated *responsibility* from within is constrained. Externally imposed hierarchy undermines internal social mechanisms. But Brough failed to recognise this as a need to alter policy processes that create such appalling situations. Instead, he used it to render consultation a farce, excuse the imposition of external control in *all* communities and shift the responsibility for those failures onto Aboriginal culture, people and communities.

Mal Brough's definition of the problem: 'How to fix a town?' (Johns 2008) reflected the change in rhetoric from 'communities' to 'towns' started by Vanstone. This introduced narrow, economic criteria concerning the viability of each community based solely on population size. The legislation cut or curtailed funding to all but the largest communities. In an address to the Bennelong Society in 2009, he placed Indigenous communities on a scale from those 'rich in economic opportunities ... through to those with virtually no economic potential at all' (Brough 2009b, np). The justification for continuing the policy was pure economic rationalism as well:

I realise the investment required is enormous [but considering the current expenditure on infrastructure it could be considered] insurance against this investment being trashed and the cycle of disappointment and destruction continuing (Brough 2009b, np).

This faith in the capacity of economic policy instruments to solve social problems encompassed behavioural change, in this instance unemployment:

At virtually every community meeting I attended as Minister the critical issue of employment opportunities would be raised. Whilst I did not doubt the questions were genuine and that there were those people who did want to work I also knew that in so many communities ... so many more people could have full time work but either chose not to or were incapable of working (Brough 2009b, np).

Only a few minutes before this comment, he had described some of the ‘human capacity constraints’ on gaining employment and their implications for policy:

If the degree of mental illness, alcoholism, drug addiction and trauma due to violence are of such magnitude to restrict the capacity for a community to function normally surely that information must be understood and taken into account when developing solutions (Brough 2009b, np).

However, these constraints were ignored in his construction of the ‘fundamental issue of cause and affect’ (Brough 2009b, np):

...there is no doubt the fact that there is no ‘need’ to work due to the welfare system is the single major contributing factor ... there is no doubt in my mind that once the ‘need’ to work is a higher priority more people will take up the work option...

The situational factors are ignored and the negative behaviour is implicitly attributed to an unwillingness to work if they do not ‘need’ to: laziness, perhaps? This ability to filter out contradictory information, even when he had just articulated it himself, is an example of the processing rule of *primacy* (Kelley and Michela 1980). The initial attribution – that the fault lies in internal attributes of the out-group – is maintained in the face of discrediting evidence.

This ability to filter out contradictory information was demonstrated in other areas. For example, Brough (2009b, np) explained the urgency in the implementation of the NTER (after the safety of women and children) was because of ‘the need to achieve real and practical progress on the ground to gain the support and confidence of the local communities’. This ignored the broad range of expert opinion and evidence that argued trust was required *before* making the decision, not after implementation. He also neatly externalised responsibility for the success or failure of the policy onto the next government. Brough said he knew the first stage – stabilising – would ‘attract intense media scrutiny’ but he ‘always felt’ the next phase – normalising – would be the greatest challenge. And it was ‘[t]he success or failure of this [normalising] phase [that] will determine if long-term positive change is achieved’ (Brough 2009b, np). He also argued that ‘the next step in ascertaining the resources required to build strong viable communities’ will be for the current government to ‘establish the extent that these problems exist in each community’ (Brough 2009b, np). Again,

according to conventional wisdom (and the policy cycle), collecting this baseline data should have occurred long before implementation. This evidence was not heard when it contradicted the Coalition agenda.

Thus, the causal story that shaped the NTER focused on welfare payments and their detrimental effects on Aboriginal people. This money led to the abuse of alcohol and drugs, and removed the 'need' to work. Both Howard and Brough took pains to dispel the impression that their policies were either biased or racist. Brough argued 'we should treat everybody equally' in defence of abolishing the permit system (McLaughlin 2007, np). And on child health checks he said, 'it's again about treating people the same way' (McLaughlin 2007, np). The irony appeared lost on them both.

The Causal Story

The attributional biases of the Prime Minister and his Minister for Indigenous Affairs are clearly embedded in the causal story. It is obvious that their conception of the 'problem' is firmly rooted in ideology of previous eras. The discourse of 'mainstreaming' and engagement in the 'real economy' is reminiscent of the 1950s. This was a time when Assimilation was the answer to the 'Aboriginal problem', a problem that sat uneasily in the context of a 'White Australia'. The term 'Hobbesian nightmare' encapsulates an earlier causal story, one that justifies paternalistic policy. Will Sanders (2010, 318) refers to 'the ideas of negative difference, vulnerability, [requiring] protection and guardianship' that underpin this ideology so reminiscent of Protection and Segregation. Their primitiveness is the cause; our modern civilisation is the answer. Despite the ideological confusion (Sanders 2010), both attitudes establish a difference between the two groups. The negative is externalised and the positive is internalised. The out-group needs to change, needs to be more like the in-group, more like us. Thus, the causal story assigns blame and predetermines the solution. It shapes the policy response.

The solution was announced before the 'problem' was even discussed at the federal level. This left the construction of cause and the assumptions underpinning that construction vague and largely

unchallenged. The solution effectively shaped the public's perception of the issue. The narrow definition of the problem as child abuse excluded other issues, such as family violence and high suicide rates, which might contradict or confuse the attribution of blame. The widespread abuse of alcohol and drugs became the underlying *cause* of child abuse, instead of a symptom of a deeper dilemma. Banning alcohol and pornography (no matter how ineffectual) can be seen as a direct response to this definition. Minister Brough's own words show that he judged Aboriginal people more harshly than non-Indigenous people. Scrapping the permit system and assuming control over Aboriginal communities affected all Indigenous people. It was not just lawless alcoholics and drug abusers who needed controlling; the problem went all the way to the top. Brough took pains to emphasise this. Auditing government funded computers for pornography implicates all Aboriginal officials, without any evidence – or suspicion – that this was an issue. Few of these computers were connected to the internet. The assumption that permits operate to facilitate paedophile rings served the causal story. It situates the perpetrators *inside* Aboriginal communities, not *outside*. This ignored the range of abusers from outside communities (Anderson and Wild 2007). For example, it was well known that 'Aboriginal girls were being prostituted to mine workers' (Chandler 2007, 5). The removal of the permit system reinforces the impression that Aboriginal men were the only perpetrators of child abuse while actually increasing the access of non-Indigenous offenders.

Curtailing the Court's discretion to consider customary law in defence also serves the causal story.

The complete removal of customary law from sentencing and bail determinations identifies Aboriginal culture as the problem. The *Little Children are Sacred* report, the *Intergovernmental Summit on Violence and Child Abuse in Indigenous Communities* and the Human Rights and Equal Opportunity Commission all recommended changing the rules applying to those determinations, to ensure human rights always take precedence. The courts have repeatedly excused violence against women and children on the grounds that it is part of 'traditional' Aboriginal culture (Cripps and Taylor 2009). Aboriginal women have strongly refuted these claims for decades. But changing the

rules would have put the blame on the judicial system rather than an internal characteristic of the out-group: their brutal culture.

Vanstone's change in rhetoric from 'communities' to 'towns' is reflected Mal Brough's definition of the problem: 'How to fix a town?' (Johns 2008). While many of the measures were designed to force a demographic shift, it was clear that no preparation had been made to deal with the influx. The Mayor of Alice Springs, Fran Kilgariff, argued that 'urban drift' was already a problem 'which would be exacerbated by the Commonwealth Intervention' (Northern Territory News 2007, np). Even if the \$60 million housing deal had been accepted in Alice Springs just prior to the NTER, it would take years to build the necessary infrastructure. The demographic push also ignored the fact that many people had moved to small communities or 'homelands', to escape the problems of violence and alcohol in the larger settlements. A study conducted in Arnhem Land found the:

'... pressure to centralise remote indigenous populations and services into townships ... would lead to worse health outcomes'. Townships promote inactivity, malnutrition, social dysfunction and other social disadvantages (Anthony 2009, np).

The shift out of small remote communities into town camps or larger towns – service 'hubs' – was primarily intended to reduce the cost of service provision. If it had been about saving the children, townships and town camps would have been prepared (extra housing, etc) and most heavily policed for alcohol and violence. This is not what transpired (Smith 2008).

Perhaps when Minister Brough sat down with a blank piece of paper to formulate the problem, the question he should have asked was 'what is a town'? Towns are either planned or arise spontaneously but generally they have several elements in common. They function as nodes in the network of human activity, meaning they usually have arable land nearby to supply the population, an economic base and access to transport. Most of the prescribed communities began as missions or reserves, which had very different criteria for their placement. They were deliberately situated away from other population centres, on land that was undesirable for any other purpose. These communities have been likened to concentration camps where the guards have gone home (Michael

Morrissey 24th June 2004, pers. com.). The application of 'normal' economic expectations and assumptions is nonsense, as is the notion that the residents choose their location (Pearson 2009). Where were these displaced people expected to go and what were they expected to do? The limited choice was usually between town camps and larger communities, with the problems of alcohol and violence, or the outstation movement, which saw the creation of small discrete communities, on Country, that sought to escape these problems. As Altman (2007, 311) explains, outstations were a response to the pressures of the 'artificial townships established during the colonial era'.

Discussion

Howard's attitude to Indigenous policy remained stable throughout the Coalition's term in office. This reinforces the argument that while child abuse was the justification for the NTER, the dual aims of reducing service delivery costs and rolling back social welfare were the dominant themes. From Howard's perspective, the overarching problem in Indigenous Affairs was 30 years of 'separatist' policy and 'special treatment' (Howard 2010). His agenda was to dismantle Self Determination, roll back affirmative action and put a form of 'new paternalism' in place (Chandler 2007; Hunter 2007; Toohey 2008). This is despite paternalism being identified as one of a range of causal factors that created dependency, social breakdown and violence in Indigenous communities (Attwood 1989; Crime Prevention Branch 2001). Howard's stated intentions involved another, more latent one: to reinstate external control.

Prime Minister Howard's attitude to the past and its influence on contemporary policy illustrates the tendency to 'filter out' any information that contradicts his beliefs. His romantic attachment to the 1950s ignores how inequity during that era has generated current inequity. Avoiding the link between the privilege of white middle-class males and the exclusion of women and Indigenous people from opportunity maintains ego enhancing group- (and self-) serving bias. By ignoring structural/situational factors, it must be assumed the in-group's privilege is derived from internal traits (innate superiority) and the out-groups' disadvantage is derived from internal traits (innate

inferiority) without explicitly making the argument. This explains the dismantling of affirmative action strategies ('special treatment') and the move to Indigenous policy that resembles Assimilation ('mainstreaming'). By blaming the current disadvantage of Indigenous people on 'separatist' policy, he neatly ignores the legacy of past policy.

This 'filtering out' was also evident in Howard's response to the *Bringing Them Home* and the *Little Children are Sacred* reports. When members of the in-group were the perpetrators, the validity of the report was questioned, funding was curtailed and its recommendations rejected. When members of the out-group were the perpetrators, any weaknesses in the method were ignored, the underlying social issues were ignored, and the report was used as justification for the NTER. All the measures reinforce Aboriginal people as the problem, withdrawing control and autonomy. The Intervention never 'ask[ed] the fundamental question of what conditions and approaches have led to the current conditions and how they may be addressed' (Vivian and Schokman 2009, 97). This would have identified causes beyond those Howard or Brough were comfortable with.

Howard's attitude to Indigenous policy, groups and individuals shows clear evidence of group-serving bias. Responsibility for the inaction in Indigenous Affairs under his watch was externalised onto the 'Aboriginal leadership' and attributed to their attitudes towards his Government and policies. This is evidence of the FAE and the UAE, attributing the negative actions of others (or out-groups) as emerging from some internal characteristic while ignoring situational factors. Thus, the 'out-group' was blamed for its situation: social breakdown, poverty and child abuse. Howard's selection of Brough – a 'hard man' – as Minister for Indigenous Affairs speaks volumes.

Brough brought his 'can do' attitude and 'practical' approach to bear on Indigenous Affairs to drive the agenda set by Howard. By voicing his desire to 'cut off the grog' (Johns 2008, 69), Howard gave Brough license to force through this agenda. While Brough often marked up the situational constraints facing Aboriginal communities, he consistently 'filtered out' those factors when talking about cause, attributing the problems to Aboriginal people themselves. Alcohol and drug abuse

were attributed to choice, not addiction. Unemployment was also a matter of choice, and change would only be driven by need. The solution to both was to give less money. The only mention of the *cause* of child abuse was the oblique reference to the 'Hobbesian nightmare'. But this silence itself is telling.

The NTER did not respond to the *Little Children* report. The welfare of children was obviously not a primary aim, despite the Report being cited as the justification. Given previous policy direction and focus, the measures fitted far better with the intentions of demographic shift. However, as these areas had not been prepared to accommodate the influx, the resulting increases in overcrowding, alcohol abuse and violence would make the situation for children and women even worse.

This entire analysis might be dismissed as a liberal attack on conservative politics. Certainly the construction of hard work being motivated by need fits neatly with conservative ideology. However, liberal constructions of Indigenous disadvantage also deserve interrogation. A causal analysis of poor Indigenous health outcomes illustrates the point. Statistics on Indigenous health are significantly worsened by such factors as alcohol and drug addiction, violence, abuse, neglect and suicide. When practitioners who worked in Indigenous health were asked about the cause of ill health they revealed 'a clear tendency towards structural attributions' (Sutton 2005, 6). They reported feeling uncomfortable with 'explanations that stressed agency – that is, effects attributable to acts by the Indigenous people themselves' (Sutton 2005, 6). The participants saw this type of explanation as a form of 'blaming the victim' and potentially racist. Sutton associates this attitude with their group membership in 'the mainstream left/progressives/liberals' (2005, 6). This focus on structural impediments certainly aligns with liberal ideology. On the surface, the attribution of blame to situational factors, while rejecting internal factors, appears to be the opposite of group-serving bias. However, most of us tend to persist in some behaviours we know are detrimental to our health, behaviours it would be in our best interests to change. Why would it be racist to tell an Indigenous person this? Perhaps the reason is that subconsciously, the negative behaviour is being attributed to

their Aboriginality, not simply their personal agency. Sutton (2005, 7) argues 'the causal factors [of poor Indigenous health] are a mix of colonial aftermath and continuations of past practices under changed and now often inappropriate conditions'. While Sutton's arguments have been misconstrued by some to put the blame squarely on Indigenous culture (and justify the modernisation project), he rejects such simplistic constructions of cause. For example, social conventions that worked in small, mobile, dispersed populations do not always transfer to larger, sedentary settlements (Sutton 2005). This is not a criticism of either the situation or Indigenous culture but recognition of the potential mismatch between a new context and 'culturally embedded behaviours' (Sutton 2005). The problem arises when romanticised notions of Indigenous culture take precedence over Indigenous people's reality. Johns argues, '[t]he recent struggle to save the Aborigine has really been ... to save the white man's conception of the Aborigine' (2008, 66). Sutton (2005, 7) speculates that part of the attraction of the liberal stance is to take the 'high ground' and 'to that extent it is an exercise in domination'.

In liberal discourse, group-serving bias is conveyed by silence – what is left unsaid – rather than the spoken attribution. This silent attribution of blame underlies thirty years of Self Determination policy that failed to foster Indigenous capacity and transfer control to Indigenous hands. Self Determination did not fail (as Howard and Brough contended); it was never really attempted. In remote communities in the Northern Territory, the power never left non-Indigenous hands (Johns 2008; Toohey 2008). As Johns (2008, 79) argues 'self determination ... left them at the mercy of those who controlled the purse strings ... [and] an army of 'helpers''. The 'rhetoric of equal rights and access to mainstream services' which Hollinsworth (1996, 117) ascribes to non-Indigenous supporters of Aboriginal activism during the 1960s and 70s, has not only increased external control: it has created 'clientism' (McKnight 1995).

The outcome of this form of 'help' was reviewed in Chapter 1, on community development.

McKnight argues that this form of professional 'help' is the very thing that degrades community

capacity to care for its members. This is demonstrated in the compulsory acquisition of leases over townships, which were not intended to increase Indigenous home ownership, as stated. The MoU with the Northern Territory Government made it clear housing would be provided and controlled by one of its agencies. The benefit of the 'carers' took precedence over the 'need' of the 'clients'. From an AA perspective, this can be understood as the self-interest of the powerful in-group overriding the interests of the powerless out-group. The increase in public service employees in the Northern Territory demonstrates the phenomenon. Since the Intervention commenced, '691 permanent frontline personnel have been employed [in health, law enforcement and education roles] ... to provide services to NT remote communities' (Robinson 2010, np). This increase was almost matched by the number of new bureaucrats. An investigation by *The Australian* newspaper found:

... since mid-2007, the number of federal public servants based in the NT – within the Department of Families, Housing, Community Services and Indigenous Affairs alone – has more than doubled ... And the department that manages indigenous affairs in the NT has increased its staff numbers by 60 per cent to more than 1100 (Robinson 2010, np).

There has also been criticism of 'widespread bureaucratic wastage': booking an entire motel and only using three rooms; separate chartered aircraft with one passenger each arriving on the same day from Canberra. As an employee of a motel at Nhulunbuy, in northeast Arnhem Land, pointed out:

They don't care because it's not their money; it's taxpayers' money. The intervention hasn't worked. Aboriginal people aren't getting anything out of it. There's still no housing. There's no employment for them (Robinson 2010, np).

Once again, expenditure in Aboriginal Affairs is concentrated on service provision and bureaucracy, not poverty alleviation. The Howard Government's focus on reducing service delivery costs has created a bizarre contradiction. Service provision, surveillance and expenditure have increased but money is not going to the people in need, it is going to service professionals and agencies. The deal negotiated between the Commonwealth and Northern Territory Governments 'carved-up' the spoils of providing housing services, while retaining control and ownership. The needs of the 'clients' – Aboriginal citizens – were forgotten.

Outcomes

Both AT findings and ABCD principles indicate that the NTER will worsen the problems it aimed to solve. First, AT tells us the identification of Aboriginal people as the 'problem' reinforces already existing stereotypes. This forces people to internalise these negative characteristics (abusive, violent, negligent, drunken...) and once internalised, they will tend to act out these characteristics. This in turn reinforces the stereotype and the internal attribution of cause. This is the exacerbation or self-confirming cycle that can create 'learned helplessness', predisposing us to depression. AT recognises these phenomena operating at the individual level. The internalisation of negatives by marginalised groups, in line with dominant bias, demonstrates exacerbation cycles function at the group level. But, as discussed in Chapter 5, a more accurate term is *socially induced helplessness*. This conceptualisation puts the phenomenon in context – its social setting – demonstrating how the problem focus creates and reinforces problems. The ongoing marginalisation of Indigenous Australians indicates that this process, leading to social induced helplessness, operates on both individual and group levels. It manifests in what Bostock (2000) calls collective depression. Policy solutions are the drivers of social breakdown.

Both Hunter, and Vivian and Schokman (2007; 2009) turn to learned helplessness as an explanation for the apparent passivity of many Indigenous people. Toohey (2008) described a group of Aboriginal youths sitting by their stranded vehicle in the outback, waiting for help. The idea that they could help themselves apparently never occurred to them. This passivity baffled and frustrated Toohey, like many others. Hunter (2007, 47) argues the effects of learned helplessness (including depression), means prolonged exposure to welfare dependence was 'likely to be one of the major factors underlying community violence and dysfunction'. Paradoxically, while the NTER directly targeted welfare dependence, its 'top-down approach' was likely to exacerbate 'feelings of alienation and helplessness' (Hunter 2007, 48). This supposition was confirmed by the Australian Indigenous Doctors Association, whose research found:

the Intervention has created a feeling of 'collective existential despair', is 'characterised by a widespread sense of helplessness, hopelessness and worthlessness', and has 'profound implications for resilience, social and emotional wellbeing and mental health of Indigenous people in the Northern Territory, and throughout the country' (Vivian and Schokman 2009, 97).

The Intervention reminded Aboriginal people of the Assimilation policy and intensified the 'negative stereotyping of Aboriginal people and increased racism and racial tension' (Vivian and Schokman 2009, 97). This exacerbation cycle becomes a self-fulfilling prophesy. This is a clear case of the marginalised out-group feeling responsible for their situation, internalising the dominant society's negative attributions and then acting them out, thereby confirming those stereotypes.

Second, the lessons from transformative community development contradict the NTER measures. The first principle of ABCD tells us that focusing on a problem will reinforce that problem, rather than alleviate it. The focus needs to be on assets, not deficits; on strengths, not weaknesses. You cannot solve a problem: only transcend it. Accepted policy wisdom would contend the NTER is likely to fail because the policy cycle was not employed. However, the policy cycle, with its focus on the problem, functions as an exacerbation cycle. In social policy, it focuses on the deficits of those in need and unconsciously aligns the interests of service professionals (and government agents and departments) with the maintenance of need. In dealing with social breakdown, externally imposed interventions (new paternalism) reinforce dependence, passivity and resistance, which intensify dysfunction. The need for endogenous control (the second principle of ABCD) is because external help will, by its very nature, reinforce a focus on deficits or problems, creating an exacerbation cycle.

The first annual NTER Review, commissioned by the Rudd Labor Government to report on the progress of the policy, did not result in the changes suggested, but saw the policy confirmed and continued (Altman 2008; Review Board 2008). As the growth in public service employee numbers in the Northern Territory indicate, the policy continues under the current government, with some elements being implemented across Australia. In 2012, the Labor Government's 'Stronger Futures' legislation passed the Senate. While the rhetoric has altered, much of the NTER – income

management, alcohol and pornography restrictions, and exclusion of customary law – is continued (Macklin 2011). With a ten-year sunset clause and seven-year review period, nothing is likely to change in the foreseeable future.

Conclusion

Rational policy models would describe the weaknesses in the NTER as failure to follow process. However, the lessons from ABCD and an understanding of attributional tendencies indicate that the policy cycle functions to rationalise attributional biases, creating problem-focused exacerbation cycles. The justification and explanation of the NTER and the problem of child abuse was a ‘blame the victim’ story, a manifestation of the UAE/FAE. The situation in remote communities was described as a ‘Hobbesian nightmare’ linking violence and abuse to the ‘primitive’ character of Aboriginal people. This construction facilitates the ‘normative leap’ from description to prescription: progress is the answer. In effect, ‘they’ need to be more like ‘us’. This resonates with policy discourses throughout Australian history. The need for ‘new paternalism’ automatically implied the incapacity for self-control – not just of those guilty of child abuse but *all* Aboriginal people. Child abuse happens in all societies, but is ‘much worse’ in Aboriginal communities. Sending in the military and the police created powerful symbolism about the problem, albeit an inappropriate strategy to deal with child abuse. The rhetoric of ‘emergency’ was used to suspend normal policy processes and limit the opportunity for analysis, debate and criticism. Attribution analysis demonstrates self serving bias operating at the personal, group and societal levels and shows how toxic this can be. This masculine tendency is manifest in group serving bias and embedded in the processes and structures of public policy and normalised in western society.

Conclusion

This thesis questioned the legitimacy of the assumption of rationality in public policy but it also identified and questioned the same assumption within the academy. It is customary in a doctoral thesis to pose a research question and embark on a scholarly journey to discover the answer. You review all the literature on the topic, focus your question and formulate your response, hopefully adding to the body of knowledge in the process. This structure comes to us from the sciences, from the posing and proving (or disproving) of hypotheses. However, this is rarely the actual process in scientific method. More usually, a scientist will stumble upon a discovery and backtrack to reconstruct a logical line of argument that will lead to it. Such a structure imparts the impression of meticulous care, logical sequence, and a *sense of control* over the process. This situates new and important knowledge *within* the researcher. The discovery can be attributed to the skill, intelligence and ability of the researcher/s, rather than the random vagaries of fate. The situation recedes in importance. The accepted structure of PhD theses reflects attributional bias. Science is not as logical as many suppose.

The social sciences and humanities are far less clinical. In reality life is complex; studying it is messy. But knowledge is created in the interplay *between* people (directly or through media), with other creatures and with the environment. You cannot separate the researcher from their context. This is an existential practice, one that is intimately tied up with our experience. This principle has determined the content and focus of this thesis. I am aware of the contradiction of employing critical analysis to challenge its very foundations. The dominant frame dictates acceptable methodologies for a PhD thesis and I have done my utmost to meet the requirements, while striving to transcend them. The journey began years ago with the recognition of difference between the sexes. This developed with the chance acquisition of terminology (from AT) to describe and articulate this difference. Then the discovery of ABCD, with its critique of deficit models, resonated with my understanding of the world. The result is that it is only at this point in the writing that I can clearly

articulate the research propositions for the first time. Like all real journeys of discovery, the destination only becomes clear once you reach it.

This thesis posed three propositions:

- the dominant paradigm is framed through masculine subjectivity;
- what is presented as 'rational' simply functions to mask this fact, and;
- an alternative perspective is required to identify the biases embedded in the structures, systems and values of public policy, government and broader society.

The veracity of these propositions was demonstrated in Chapter 5 where the dysfunctional public policy observed by Stone (2002) was shown to mirror the biases introduced from attribution theory (AT). However, a critical analysis of attribution theory revealed men and women think differently. In the past, the feminine attribution style was pathologised while the masculine attribution style was normalised and universalised. By countering this misconception, the masculine biases reflected in social/political structures and processes are revealed as *irrational* products of the process of patriarchy. This situation has led to public policy structures, attitudes and processes that are destructive. Women are no longer excluded from these decision making contexts, but their inclusion has been limited to working within the existing frame, which continues to enshrine masculine attribution bias. This conceptual frame shapes public policy and political structures. By identifying the unconscious source of the *status quo*, this model unlocks the possibility of an alternative paradigm.

This thesis set out to identify the dynamics behind policy dysfunction. It has demonstrated how the human dimension of public policy shapes its processes and structures. How the behaviour of people involved in political and policy decision making unconsciously imprint their bias on the process. This conclusion will discuss the utility of the chosen methodology and then summarise the chapters, drawing together the many threads in the process. This will lead to a discussion of the Northern Territory Emergency Response and its likelihood of success. The analysis has also exposed broader

implications for public policy and beyond. A brief look at some of these implications reveals fertile ground for further research.

The Dialectic

The dialectic methodology used to construct a theoretical framework in Part 1 of this thesis and the focus of the case study analysis in Part 2 (the people in power), were both advocated by critical theory (Adorno and Horkheimer 1979). Within the public policy literature, the dialectic method is most noticeable by its absence³⁵. Perhaps because the dialectic is the opposite process to most public policy analyses: it is an encompassing, broadening and deepening movement, unlike the disaggregating, narrowing and focusing of the more usual reductionist method. In this sense it addressed an issue identified by many scholars in the field: the need to encompass complexity (Colebatch 2005; Stone 2002; Subroto 2012). This involved abandoning scientific approaches as inappropriate for the social sciences and humanities, as advocated by Adorno and Horkheimer (1979). By embracing a range of concepts, perspectives and approaches (drawn from several disciplines) the dialectic method allowed me to spiral back, almost to the beginning, to gain a new vantage point from which to re-conceive the nature of public policy.

As David Held (1997, 177) in *Introduction to Critical Theory* argues, critical theory using the Hegelian dialectic method identifies 'the insufficiencies and imperfections of 'finished' systems of thought'. Thus, I exposed the universality of self-serving bias as only half the story, 'reveal[ing] incompleteness where completeness is claimed' (Held 1997, 177). By identifying an alternative existential reality, this analysis 'embraces that which is in terms of that which is not', pointing towards a new conceptualisation by demonstrating 'that which is real in terms of potentialities not yet realised' (Held 1997, 177). A process of 'continuous criticism and reconstruction' (Held 1997, 177) offered a far more comprehensive perspective. While not claiming Hegel's absolute truth, this process did (in

³⁵ A search returned little relevant material and it does not feature in the index of Parsons (1995) in *Public Policy* or that of Moran, Rein and Goodin (2006) in *The Oxford Handbook of Public Policy*.

Horkheimer's terms) compel 'reason itself to recognize the extent to which it is unreasonable' (Marcuse in Held 1997, 178).

Chapter Summary

The first (and most important) part of the thesis dealt with theory. Chapter 1 reviewed the evolution of community development models from top-down exogenous processes to grass-roots, endogenous approaches. Early community development approaches focused on the transfer of technology and knowledge from the west to the 'developing world'. These approaches clearly demonstrated attributional bias in their conceptualisation of the problem – *they* need to be more like *us*. Over time and through practice, some community development theorists began incorporating an understanding of the nature of human interaction and the primary importance of relationships into their frameworks. These transformative approaches are epitomised by Asset Based Community Development (ABCD). John McKnight's (1995) *Careless Society* was reviewed to demonstrate the reasoning behind ABCD and its later incarnation, Whole Community Organising (WCO). McKnight (1995) identified the provision of *care* as a *service* as the point where private enterprise and public agencies become disabling. He viewed the production of material *things* for profit as positive. But once the product became caring services – which with hindsight seems inevitable – the outcome was destructive to community cohesion. McKnight (1995) explains this in terms of depleted capacity. Outside help replaces internal coping mechanisms, and over time it breaks down the relationships that support these mechanisms. Thus, rebuilding relationships is central to ABCD.

A critical review of AT and an awareness of brain development revealed that this focus on building and maintaining relationships is elementally feminine in nature. In contrast, the pursuit of profit is clearly motivated by self-interest, a predominantly masculine trait. What McKnight (1995) is describing, then, is the encroachment of patriarchy into the last bastion of feminine influence. ABCD advocates a focus on positives (assets), that the process is internally driven, and relationships are

primary. The positive focus and internal control breaks the power of external forces to define the problem, identify cause and attribute blame. Together, they break the exacerbation cycles that trap people (and groups) in victimhood or learned helplessness. By fostering trust and mutual support through genuine relationships, the destructive forces of self-interest are mitigated. But what is the future of community development if the meta-environment remains toxic? Individual communities may be able to buttress themselves against the effects of a *disabling* environment temporarily but the battle will be ongoing. For Australian Indigenous communities, the most significant hurdle is the government processes that have been attempting to shape their behaviour since first settlement. Transformative community development has much to teach public policy.

Chapter 2 focused on this enabling environment by turning to a normative policy framework as an example of rational models that reflect the dominant paradigm. The review of Bridgman and Davis's (2004) policy cycle shows a model designed to aid the formulation and analysis of public policy. The stagist approach is argued to assist in the disaggregation of complexity in public policy problems. It also conveyed the authors' awareness of the tension between their normative framework, contextual demands and human foibles. Policy is always constructed under the pressure of time constraints and multiple demands on finite resources. This is unlikely to change. Sound judgement is central to all steps described and the authors repeatedly caution policy makers on the pitfalls of ignoring their own subjectivity. But these warnings can only be of limited success when the very process is imbued with masculine biases. The centrality of the 'problem' – its definition and its predetermination of the solution – arises from the impulse to deflect blame, and to distance oneself from responsibility. Collectively, group-serving bias has been institutionalised in the formation of policy. The process is not 'rational' at all.

Stone (2002) provides a persuasive critique of 'rational' approaches such as the policy cycle. Chapter 3 reviewed this work and the narrative analysis that can unmask the underlying assumptions and intent of politicians and policy makers. The three pillars of the rationality project identified by Stone

all reflect masculine attribution bias. The market model of society enshrines self-interest as the primary human motive. Stone's analysis also exposes group-serving bias, and demonstrates the use of persuasion and the control of information to shape other people's attributions. The model of production employs 'rational' approaches – like the policy cycle – to lend legitimacy to public decisions. Stone (2002) demonstrates that they exclude the real point of power: the struggle over ideas. The problem-focus of these models reveals their true purpose, the attribution of blame and the externalisation of responsibility. The model of reasoning – the rational decision making model – is not only undermined by collective decision making, which incorporates group-serving bias and opportunities for groupthink, but institutionalises ideals of objectivity and rejects empathy. The result is anything but rational – in its own terms. The rationality project simply functions to mask the fact that the dominant paradigm is framed through masculine subjectivity. Stone (2002) differentiates between equality, which assumes sameness, resulting in uniform distribution, and equity, which allows for 'fair' distribution, sometimes requiring unequal shares. Equality is what women asked for, and what we got: uniform access to opportunities whose distribution remains firmly in the masculine frame. Rawls and Nozick may appear to be polar opposites, but they both assume self-interest as the primary human motivation. Nozick is caught in the fiction of the 'free' market. Rawls's 'veil of ignorance' is designed to counter self-interest but by assuming everyone shares his perspective, actually enshrines it in the resulting processes. But Stone (2002) appears to accept the legitimacy of the 'rationality project', as long as it is recognised as 'art' rather than the science. This explanation does not satisfy me. The dysfunction in public policy mirrored the masculine behaviour I have been observing for years.

Introducing attribution theory in Chapter 4 demonstrated how the strategies identified by Stone (2002) are explained by attribution biases. Whether these are ego enhancing, ego defensive, the fundamental attribution error (FAE), group-serving bias or the ultimate attribution error (UAE), all were apparent. The 'processing rules' could also be aligned with, and therefore explain, the behaviour observed by Stone (2002). But this awareness merely served to place the workings of

policy within realms of human behaviour – potentially useful to mitigate bias – but hardly earth shattering. I suspect Stone’s clarity of vision arises from her alternative viewpoint. She can see the tendencies described because she does not share them. Identifying the source of Stone’s ‘policy paradox’ as subconscious bias brought us one step closer to mitigating the negative outcomes.

The analysis in Chapter 5 synthesised the knowledge of the preceding chapters, transcending the limitations of the discrete disciplines. It identified two major weaknesses in AT. The first was the way in which sex differences had been handled and feminine attribution style had been dismissed as aberrant. It is not until sex differences in attributional styles are embraced that the situation really comes into focus. This chapter reviewed the research into this difference, how it was treated within social psychology and how it became obscured in the quest for equality. Attributional sex differences demonstrate that self-serving bias is *not* ubiquitous. However, the assumption that it is has led to its normalisation. This normalisation has seen the notion of ‘ubiquitous’ self-interest reinforced, rather than challenged. Instead of mitigating the bias through ego-confronting challenges, it is intensified: the bias and its normalisation are reinforced. This analysis also demonstrated that researchers studying attributional biases (and therefore acutely aware of them) could still unwittingly fall prey to their influence. Indeed, group-serving bias was clearly evident in discussions about women’s alternative attributional style. This was despite women’s tendency to take responsibility and *not* displaying bias in causal attributions. Women might apologise for the weather, but they don’t think they cause it. Their bias disappears when the questions become causal.

The second limitation in AT is the assumption that objectivity is both possible and necessary for fair and reasoned judgement. This arose from dominant paradigm thinking – the assumptions of objectivity, the separation between subject and object, mind and body, arising from Cartesian dualism – that has underpinned the cognitive stream of social psychology. A critique by Langdridge (2007) took us back to the foundations of AT to dispel the fiction of objectivity, restoring the idea that we understand others through our own experiences. Our brains do not function like computers,

our experience and our perception influence everything we know. This critique of objectivity resonates with Stone's (2002) critique of 'rationality'. Both concepts are used to provide a veneer of legitimacy to biased processes. They provide a 'pretext of separation' from the undesirable behaviour of others. The AT literature demonstrates that empathy is required to judge others fairly. Women who comprehend the constructed nature of knowledge tend to integrate their subjectivity into that understanding (Field Belenky *et al.* 1986). Of course, many men do too. But we live in a world that rewards self-interest and competition, not empathy and co-operation. This alternative perspective is required to identify the masculine biases that shape western society and its structures. Equality between the sexes will not emerge until the structures formed – and maintained – by masculine bias are acknowledged and dismantled. Until then a just, egalitarian society will remain beyond our reach.

The second part of the thesis presented a case study of the Northern Territory Emergency Response. In order to provide background for the case study, Chapter 6 stepped back in time to consider the history of Indigenous policy in Australia. At the time of colonisation Aboriginal people shared an egalitarian society, in balance with itself and its environment. This was soon eroded through the violent impact of patriarchal colonisation. Patriarchy was imposed through religion, the interplay between racism and sexism, and a new economic order. It was then superimposed onto 'traditional' Aboriginal culture and naturalised. Under the impetus for a White Australia in the twentieth-century, the history of this process was largely expunged from record. This left a sanitised version of the settlement myth upon which to build a new national identity.

Successive policies, from Protection to Assimilation, defined the 'problem' as Aboriginal existence. The negative outcomes were attributed to Aboriginal culture (or primitiveness): their difference from the in-group. This constructed a causal story that assigned responsibility to Aboriginal people. At Federation in 1901, there was no room in the new national vision of a united, 'white' Australia for Aboriginal people. The Northern Territory was the only place where Aboriginal policy came under

Federal purview. Despite high-minded intentions, Aboriginal people in the Northern Territory fared no better than those under state jurisdiction, and in some instances, much worse. It was still the case during the 1960s and 70s that whenever Aboriginal interests collided with non-Indigenous interests, Aboriginal people lost out. It was clear that equal wages would create mass layoffs and push people off their homelands but there was no protection to avoid this. The push for change came from abroad; it was more important to be *seen* to be doing the right thing than to actually do it. The argument over the right to consume alcohol played out the same way. The change would create social problems but as long as drinking was restricted to 'their own environment' and the victims could be blamed, those problems for the out-group could be tolerated by the in-group. The problems of passive welfare and substance abuse in the Northern Territory have their genesis in public policy decisions, shaped by masculine subjectivity.

Being able to externalise responsibility was essential for the creation of poor Indigenous policy. During the 1970s, Indigenous policy moved from Assimilation to Self Determination. However, the 'right' to autonomy was not accompanied by the prerequisites for achieving it: capacity, control and resources. Sutton (2009) identifies the power vacuum created through the withdrawal of external authority, without creating the capacity to replace it, as another key factor in the current situation. The last three decades of the twentieth-century promised Self Determination but in many remote communities the reality was continued economic exclusion and welfare dependence. The outcome was hopelessness and despair, manifesting in alcohol and substance abuse.

The *Little Children are Sacred* report identified this situation – anomie – as the underlying cause of child abuse, violence and suicide in Aboriginal communities. The factors that allow child abuse to occur are evident in many communities where substance abuse is rife. This manifests in the reduced inhibitions of the perpetrator, reduced diligence of the parent/s and increased vulnerability of the victim. The intergenerational nature of child abuse also implicates past policies of child removal, institutionalisation and abuse under state 'care'. This history, along with the breakdown of social

norms, leads to the horrendous situation where older children are now abusing younger children. Both are victims. The authors of the report were obviously torn between the narrow terms of reference and the complex interplay of factors and outcomes. Their recommendations reflected the need to deal with the broader issues. Many of these were situated in the public institutions whose processes had failed for so long.

The Northern Territory Emergency Response (NTER) was justified by the *Little Children are Sacred* report. However, many of its measures aligned more closely with the Coalition Government's previous policy than with the report. Chapter 7 set out the instruments included in the NTER, most of which had not previously been suggested as answers to child abuse. A review of these policy measures demonstrated that the aims of the NTER were far broader than those stated. The policy itself was complex and multidimensional. This was demonstrated by the summary of the legislative instruments that were hastily prepared for Parliamentary consideration. The policy advice that was hurriedly formulated was damning of both the lack of policy process and the content of the bills. A review of the Government's agenda on Indigenous policy in the years preceding the NTER illustrated how the declaration of an emergency was used strategically.

In Chapter 8, Bridgman and Davis's policy cycle model was employed to analyse the range of measures against normative policy standards. Not only was the NTER found wanting in this analysis, the model itself struggled to deal with the complexity. Establishing a logical process led to the tendency to 'fit' the policy into the steps of the policy cycle. I attempted to counter this by applying the cycle out of sequence but its power to deal with intricate policy was limited with such a broad range of measures. The eight-step cycle added another dimension of complexity to an already complex situation. The analysis showed the NTER did not follow the policy cycle. Indeed, the short timeframe and 'emergency' status of the problem served to circumvent standard policy processes. The NTER was announced before it was fully formulated, much less analysed for such 'niceties' as

human rights implications. Politics sidelined policy. This was a suite of 'solutions looking for a problem'. And many of those solutions had little to do with child abuse.

The narrative analysis conducted in Chapter 9 looked closely at the attitudes and attributions of the two major decision makers, Prime Minister Howard and Indigenous Affairs Minister Mal Brough. The Prime Minister's own words demonstrated a long history of externalising negatives, internalising positives and filtering out contradicting evidence. His attitude towards Indigenous policy and people displayed group-serving bias. His choice of Mal Brough as the last in a long line of Indigenous Affairs ministers signalled his intention to 'get tough'. Securing the tentative support of one member of the 'Aboriginal leadership' was sufficient in Howard's eyes to legitimise his paternalistic regime. Minister Brough demonstrated his confusion between the problem of child abuse and his agenda by describing the solution as how to 'fix a town'. While the two issues were related, his focus on economic over social policy belied his professed concern for the little children. It was clear his personal frustration at not being able to impose 'his will on the bush' led to many contentious instruments being bundled together to force them through the Parliament under the guise of child welfare. Brough not only considered Aboriginal people as the out-group, policy professionals and bureaucrats were treated with similar contempt. Both Howard and Brough attributed the 'problem' to Aboriginality, evoking a range of tropes, from the primitive savage to laziness. This analysis demonstrated that self- and group-serving biases shaped decision making at the highest level. These biases were embedded in the policy instruments, which addressed presumed internal attributes as the cause and largely ignored situational factors.

Discussion

It could be argued that the policy cycle, if utilised, may have mitigated this bias. But as Stone argues, identifying cause is actually about assigning blame. This is the point where responsibility is externalised. The spontaneous attribution shapes the problem definition at the point where the issue first receives official attention. The way the problem is defined automatically predetermines

the solution. The Australian policy cycle defines the problem *before* any analysis is conducted. The definition curtails analysis through *terms of reference* that limit its focus to the assigned group/issue, leaving the situational factors outside the frame. Even when the policy cycle is adhered to, the spontaneous attributions of the people in power are never interrogated. Bias shapes perception, excludes contradicting evidence and predetermines the problem definition.

Because problems and their 'causes' assign blame, they become self-fulfilling prophecies: exacerbation cycles that create and maintain the very thing they purport to dispel. There were two obvious aims of the NTER. The overtly stated one, to stop child abuse, was demonstrated through the banning of alcohol and pornography. The implicit one, to reduce service delivery costs, was demonstrated through the measures designed to 'rationalise' Indigenous communities into 'viable townships'. A range of instruments (including alcohol bans) would force a demographic shift into 'service hubs' or town camps, thereby reducing the costs of multiple small remote settlements. The NTER has exponentially increased service costs, if increased staffing and profligate waste are any indication. And the demographic shift designed to reduce costs is likely to exacerbate drinking, violence and child abuse. Exacerbation cycles demonstrate the complex nature of social interaction. Once an individual or group has internalised negatives, they tend to perpetuate those characteristics and reinforce the stereotypes held about them.

This cycle illustrates why ABCD and WCO works. Kretzman and McKnight (1993) provide an approach that blocks potentially negative, external influences, draws people's attention to their strengths and builds on the relationships within a community to create an enabling cycle. However, the level of social breakdown and dearth of capacity (collective and individual) in some Indigenous communities can make WCO seem like a step too far. Judy Atkinson (2002) has developed and championed a strength based approach that can bridge this gap. It begins by acknowledging and healing the trauma of the past and engendering a positive outlook on the future. Atkinson's approach is informed by two decades of experience in violence and substance misuse among Indigenous

peoples. Banning alcohol without dealing with the reasons for people's dependence on it is futile. She repeatedly presented the *Building our Future* proposal, designed to address the abuse of Aboriginal children, to the Coalition Government in the years leading up to the NTER (Atkinson 2007). As the Intervention was being rolled out, she lamented the inability or unwillingness of policy people to embrace this method and the lack of leadership on the part of Prime Minister Howard to act on child abuse for his eleven years in power. I hope this analysis has demonstrated the mechanisms that have excluded it from serious consideration in the past.

A Way Forward for Public Policy

The externalisation of negatives is inherently masculine. The feminine tendency to internalise negatives is mediated when the situation is explained in terms of cause: the bias disappears. It is no surprise that political (and indeed social) systems formed under patriarchy reflect subconscious masculine bias. The challenge is to move beyond the limitations of this legacy. The prospect is daunting, as so much of western social structure, culture and knowledge rest upon the fundamental premise of self-interest. It is also imperative. Our primary collective aspirations today – equity, peace and climate stabilisation – have arisen from the patriarchal frame. They will not be attained by using the same thinking that created them.

The first step is to identify the mechanisms that underpin the current structure. To recognise the innately destructive nature of systems based on conflict and competition. The second step is to curb attributional bias on the personal level, to break the link between the impulse and the reward. It has been shown that self-serving bias can be curbed by ego defensive behaviour, if the impulse is recognised and challenged. Political decisions reflect upon the decision makers – ego is always involved. The FAE and the UAE are moderated through empathy with the person or group one is judging. It is not separation but empathy that underpins sound judgement. The third step is to recreate balance between feminine and masculine experience and erase the false dichotomy between the private and public spheres.

The idea that the systematic exclusion of women from the public sphere has created problems is not new. Jack Forbes (1994), a first nation's American, has expressed the hope he feels as more women enter positions of power within government. He contends that balance is required in the public domain and that women have the capacity to restore that balance. I agree wholeheartedly, but simply admitting women is not enough to reinstate balance. Masculine perception continues to shape the public sphere, and filters entry into it. Successful women have run this gauntlet and have learnt the lessons well. Most have done so at great cost and compromise to themselves and their families. And they *do* make a difference. Feminine tendencies are harnessed to do the work they excel at, but they are rarely rewarded to the extent that masculine tendencies are. Often this work frees others to pursue their own self-interest. The structures of patriarchy remain, and the assumption that masculine experience and ways of knowing are omnipresent goes unchallenged. Until women are allowed to be themselves, there can be no equality and there can be no remedy to unbridled self-interest at the highest levels. Society will remain unbalanced. And balance is important. Without it, humankind is on a path to self-destruction. This thesis has identified the largely sex-differentiated behaviour that underpins western society. An understanding of masculine attributional bias reveals the way societal structures are unconsciously shaped and maintained. But approaches that can begin this process already exist.

Asset or strength based techniques encapsulate and validate the importance of relatedness. Without consciously acknowledging the major source of relatedness as feminine, they have addressed the exclusion of relatedness in the public sphere by reinstating its central place within society. This technique should not be consigned to the fringes of social reform – the grassroots level – it must open the path to new social order. Without altering the highest level of hierarchical structures, reform at the grassroots level will continually be degraded and undermined by these power structures. The relationships that community development frameworks advocate are not acknowledged in the structures that privilege self-serving bias. These structures implicitly deny the existence of its mediating other half. Experience shows that relatedness lies at the centre of

community, demonstrating that relationship oriented attributional bias still functions on this level. However, the ability for the relationships fostered at the community level to create change will perpetually be constrained by the overarching societal structures that exclude relationship oriented attributional bias.

Policy processes limited to defining and quantifying problems are doomed to replicate and maintain those problems. Transcendence requires hope. A positive imagining of the future as it can be. It requires recognition of the similarities that bind us, not the differences that divide us. Relational rather than adversarial politics. Co-operative rather than competitive processes. The pretence of separation that has underpinned Cartesian dualism in science, social science and the public sphere has been debunked. But public processes continue to use the assumption of objectivity as a mask for the rationality project, even while the influence of personal affiliations on political decision making is enshrined in party politics. It is time to acknowledge and dismantle this harmful, competitive structure.

McKnight identifies the point where private enterprise moves from the production of material goods to the production of 'helping' services as the point where capitalism begins to break down communities. However, I argue this was an unavoidable progression in a society ruled by self-interest. It is simply the next human activity that can be exploited to generate profit, with the profit internalised by the few, and the labour (and social and environmental costs) externalised onto the many. It is the privileging of self-interest over relatedness. Although the self-interest of the individual is totally dependent on their acceptance into society, society no longer functions to curb the excesses of self-interest. Group- and self-serving bias depend upon and exploit relationship oriented bias, while simultaneously denying its existence. The assumption that everyone acts through self-interest shapes behaviour modification strategies. However, the function of the state, the economy and society as a whole, rests upon a largely unacknowledged impulse towards relatedness. We are gregarious mammals and these impulses bind us. Relatedness is the 'glue' of

community and the backbone of society. Without the input of people *not* motivated purely by self-interest, the structures of society would fail. If everyone actually started acting on self-interest alone, the system would break down.

Implications

The assumption of objectivity cannot continue to underpin academic activity. Nozick and Rawls represent polar opposites in political theory. But they both assume self-interest is the major motivating force for all people. Rawls' 'veil of ignorance' is an experiment in objectivity, assuming that by concealing self-knowledge we could circumvent self-interest to imagine a fair society. But a veil of ignorance does not erase our subjectivity, it merely obscures it. The resulting rules – based on the assumption of self-interest – will maintain the dominant paradigm. This demonstrates the limits of objectivity: we cannot separate our consciousness from our embodied reality. The denial of the self under Rawls's veil is merely the pretext of separation. It is only through empathy with others – through connection, not separation – that we can imagine a 'just' society. Mary Field Belenky *et al* (1986) demonstrate that women with a constructivist understanding of knowledge try to put their own experience aside to understand the experience of others. But they do not deny their own or the other's subjectivity – they embrace it. 'Connected knowing' moves beyond the limitations of objectivity. It is naïve to assume we can expunge our subjectivity through an act of will. Self-knowledge and empathy is the path to understanding others.

Opportunities for Research

The sex differences in attributional styles point to different existential realities for women and men. Understanding these realities opens the door to a broad range of research that has been constrained by the masculine frame. This critique brings the very foundations of the Australian legal system into question, and provides a framework to analyse the level of 'justice' that people who do not fit the masculine frame receive within it. It also calls into question the basis of most ethical theory, and provides a framework to explain the degradation of responsibility witnessed within the public sphere

over recent decades. The following are just a few of the possible applications, ranging from the interpersonal to broader social and structural contexts.

Child Abuse and Family Violence

The summary on child abuse in the *Little Children are Sacred* report demonstrated the limitations of the current conceptions of sexual abuse. One of the two major theories identifies patriarchy as a cause of child abuse but the way it functions is obscure. A conceptualisation of child abuse that includes different existential realities, as indicated by alternative attributional styles, provides a more nuanced and constructive understanding. It alters our understanding of how a family unit operates. An offending father is likely to externalise responsibility for their negative behaviour onto others. The mother is likely to internalise responsibility, blaming herself and fearing social exclusion (for herself and her children). If the child is blamed for their abuse they will internalise that negative attribution, making them unlikely to seek help. And if that internal attribution is never challenged, their guilt as children is likely to become their excuse as adults. Situating blame within the child facilitates the externalisation of responsibility of adult perpetrators, continuing the cycle. Some earlier theoretical explanations for sexual abuse are redolent with external attributions of cause. This explains how professional 'help' may have functioned as an exacerbation cycle. It is a framework that may prove valuable for all forms of family violence. This conceptualisation opens up the possibility of research that can lay bare the function of patriarchy at the micro level and lead to responses which can sever the intergenerational transmission of such behaviour.

Cultural Difference

This frame offers a way to comprehend cultural difference that does not project the viewer's assumptions about gender power relations onto the observed. There was no social hierarchy in Aboriginal society prior to the impact of colonisation (Etienne and Leacock 1980). And there was no artificial separation between the private and public spheres. Relatedness and community took priority. Lucashenko (2009, 59) argues the outcome is still evident in:

the existence of one useful marker of Indigenous 'authenticity' ... this inclination towards universal respect and compassion, for allowing one's fellow creatures to be who they will be without harsh judgement.

She quotes a friend from Cape York who said '[m]y people all still have that softness to them. All my old people up north, men as well as women. They aren't hard inside' (Lucashenko 2009, 58-9).

Research may provide evidence that the fundamental cultural difference is that the feminine balanced the masculine, and equality – within and between groups – was the outcome. It certainly deserves further attention.

The Historical Record

Analysing the past without imposing contemporary standards on the historical context is always a challenge. Attribution analysis (AA) provides a framework to apply contemporary knowledge and perceptions to past actions – as described in the historical record – by relying on human behavioural tendencies displayed in public decision making processes. Not only will this provide a meaningful framework for understanding destructive processes such as colonisation, it may well counteract the tendency to rationalise such processes as 'human nature'.

The Environment and Economic Hegemony

The two most pressing challenges facing western governments around the world in recent years are the ongoing ramifications of the global financial crisis and climate change. Both have been created by unbridled self-interest and the ability of capital to externalise negatives (environmental or financial). We have also seen the power of grassroots movements to topple oppressive governments. However, this impetus for change can only be realised through a paradigm shift. New leadership, without this shift, will simply maintain the *status quo*, recreating the current system.

Conclusion

This analysis identified a fundamental imbalance in modern society. It has revealed the *need* in modern western society (and its structures) for the restoration of balance. This balance would mediate the influence of self-serving attributional bias on relationships within and between

societies. And in our relationship with the environment. The current paradigm – of both knowledge and power – cannot address the problems created through this imbalance. Capitalism cannot redress the social inequality or environmental degradation caused by its foundation of self-serving bias. Adversarial government and unreflective, deficit focused policy processes cannot solve conflict and destructive competition. Feminine attribution bias – relatedness – is not a challenge to the masculine; it is an untapped asset. It opens a vision of the future that can transcend problems, allowing us to outgrow them.

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Appendix 1

Map of Australia

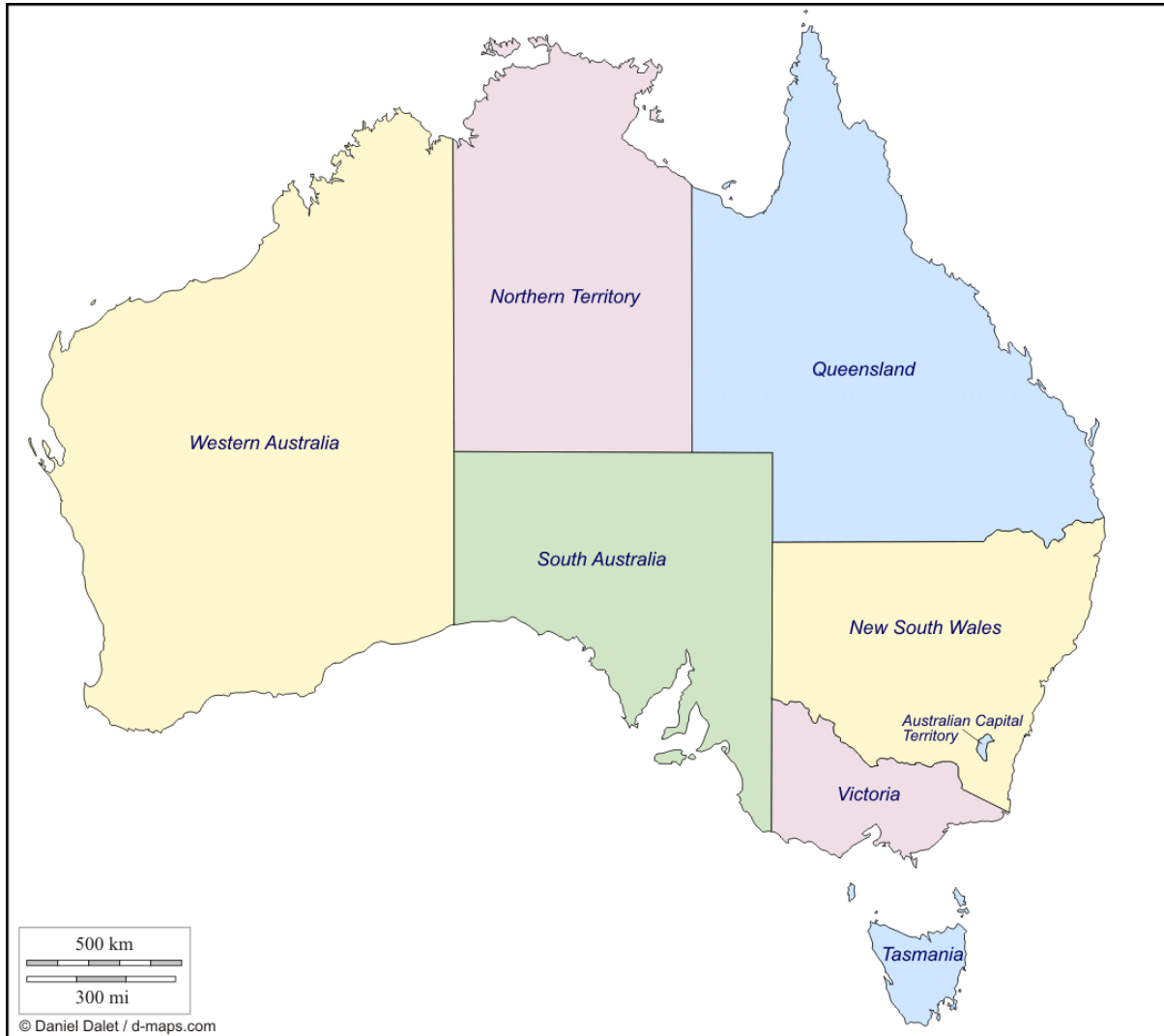


Figure 2. Map of Australia (Dalet 2007)

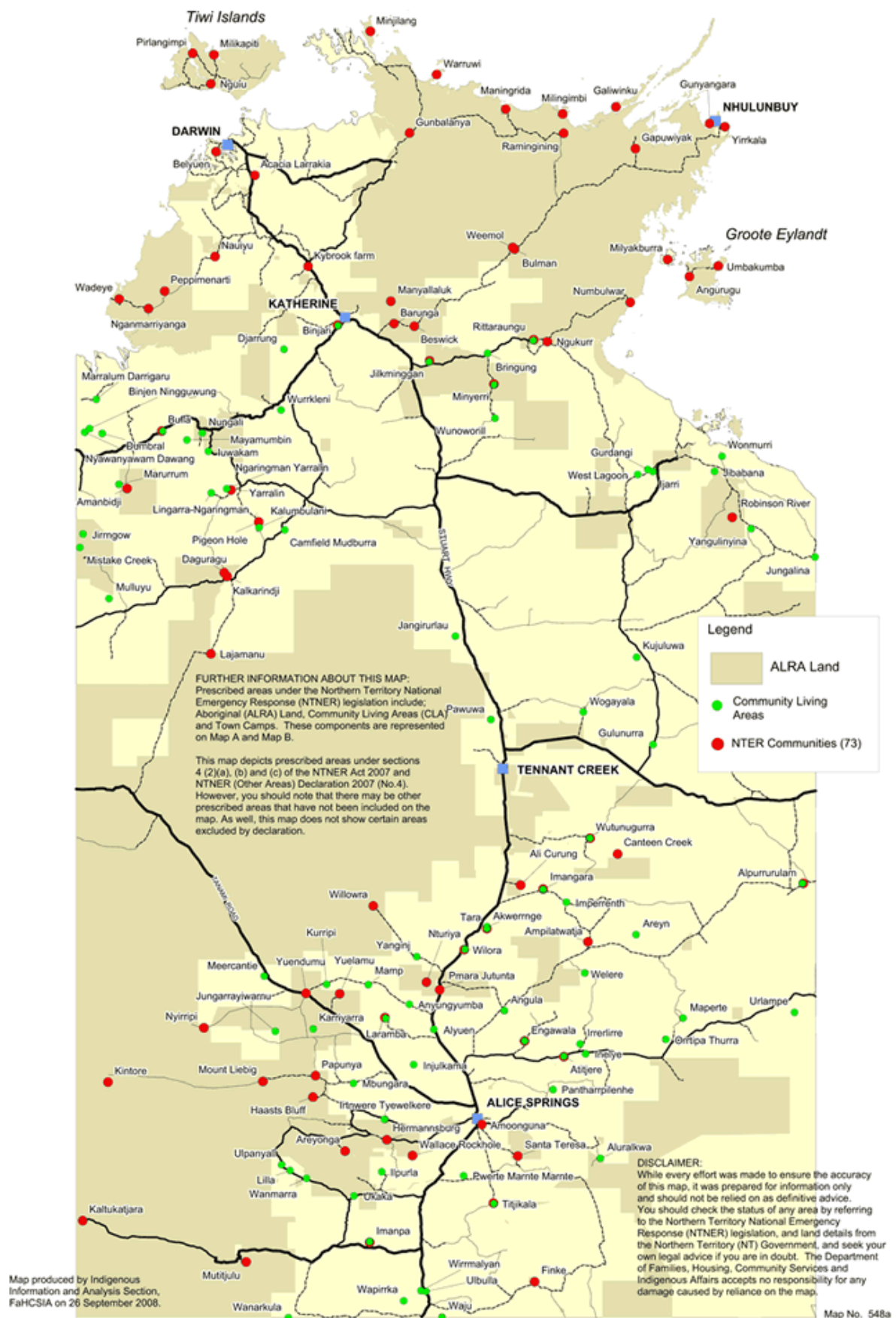


Figure 3. Map A - Prescribed areas - Aboriginal land and community living areas (ALRA) (Review Board 2008, appendix 4)

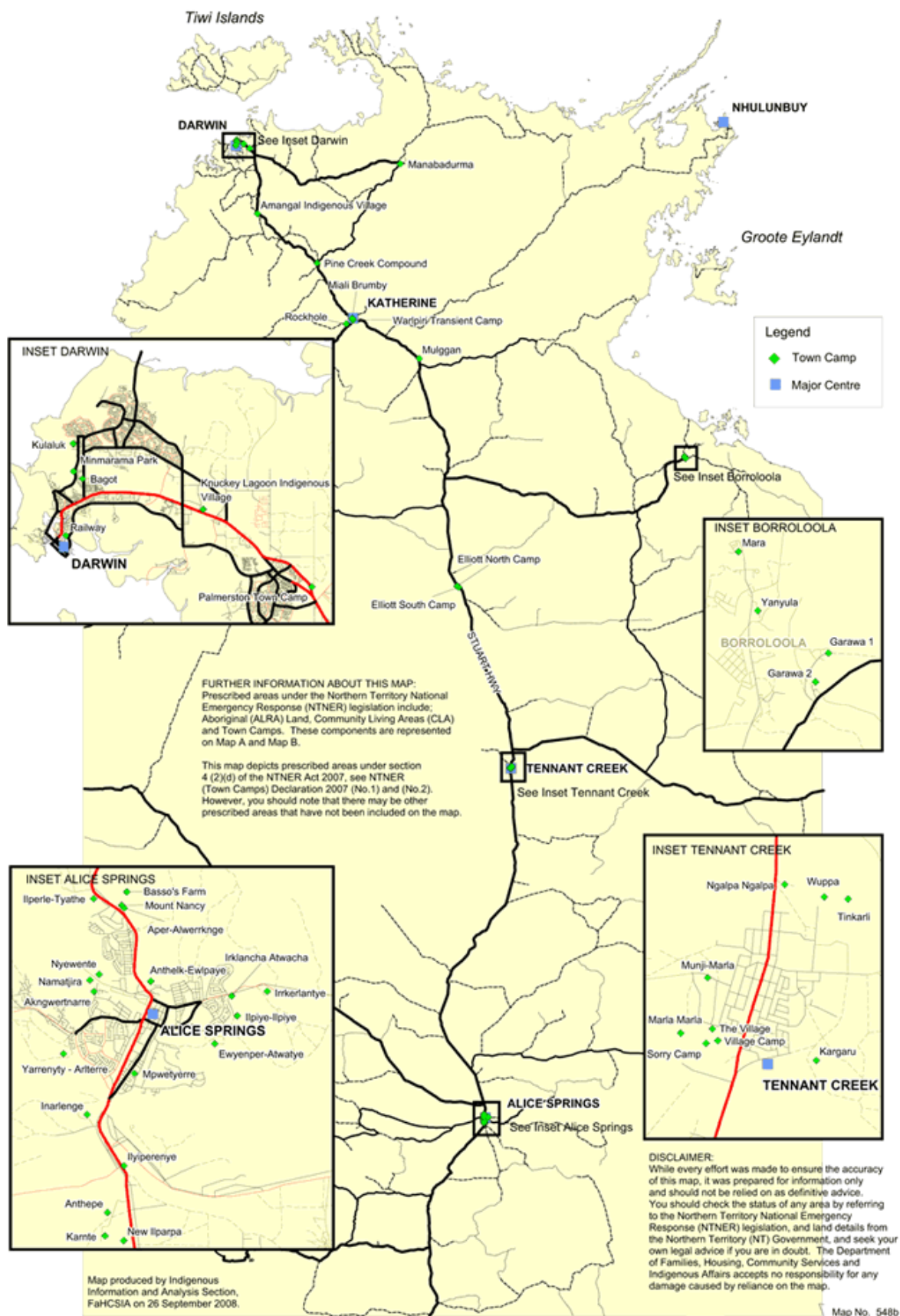


Figure 4. Map B - Prescribed areas - town camps (Review Board 2008, appendix 4)